

MEMORANDUM

To: Steve Grierson, Court Executive Officer

**From: Andres Moses, Assistant Court Administrator &
Staci Anderson, Guardianship Compliance Administrator**

Subject: New Minor Guardianship Investigator Position

Date: 10/6/2021

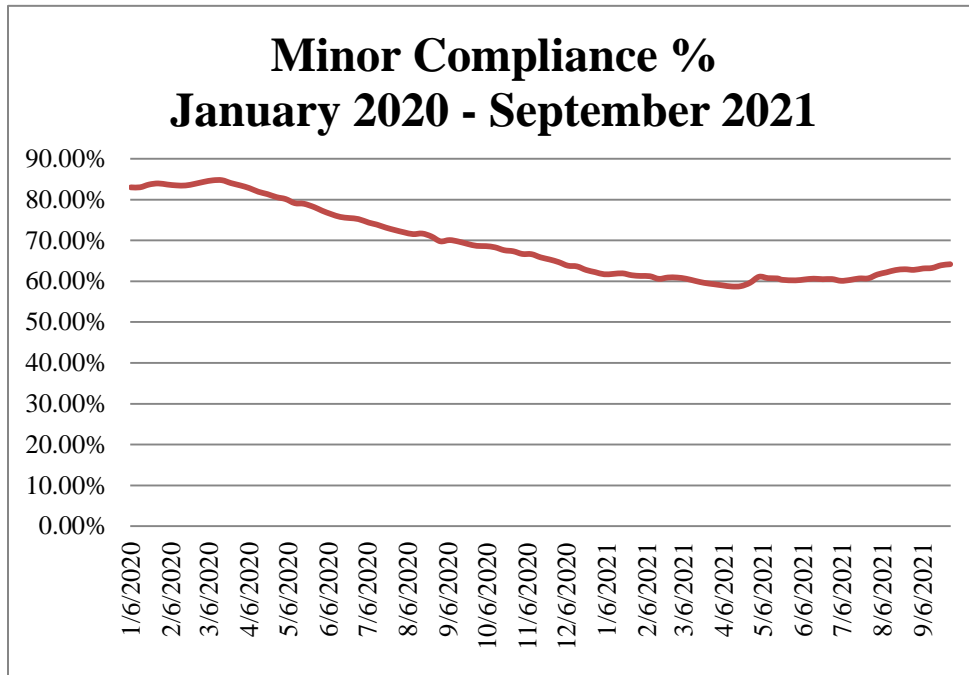
NRS 247.305(3)(a)(2)(c) allows the allocation of \$1.00 of every recording fee collected to be remitted to the county “for the exclusive use of the district court to pay the compensation of investigators appointed by the court pursuant to NRS 159A.046.” NRS 159A.046 allows courts to appoint investigators to locate private or public resources to assist proposed protected minors, investigate allegations or claims that affect a proposed protected minor, investigate the suitability of proposed guardians to provide for the basic needs of a proposed protected minor, and locate relatives of the minor as needed.

In November 2019, the Court hired three Guardianship Compliance Division (GCD) investigators to primarily perform investigation efforts and compliance activities enumerated in NRS 159A.046 for minor cases. The investigators secondary duties, as permitted by the minor guardianship workload, include reviewing minor annual accountings and performing adult guardianship efforts. Since their hiring, the investigators have completed 206 Court ordered minor investigations, with 49 investigations currently in progress.

The GCD office staff generates notices of noncompliance for cases daily. These notices are filed into each case and a copy is provided to the guardian(s), protected person(s), and associated legal counsel to encourage case compliance and notify the Court of cases that are out of compliance. The division has generated 2,238 minor case notices of non-compliance since March 23, 2020 (at the onset of the COVID pandemic) through September 30, 2021.

The GCD has seen an increase in non-compliant cases since the start of the COVID-19 pandemic in March 2020. As of September 30, 2021, case compliance was 80.01% for adults and 64.19% for minors. Before the pandemic, minor guardianship case compliance averaged 82.66% for the period of October 2019 – February 2020. The minor guardianship compliance percentage has dropped to 64.19%, equating to a decrease of 18.47% since the start of the pandemic.

The dramatic decrease in minor case compliance can be attributed to guardian(s) failure to remit their annual submissions of the reports of guardian and accountings. There are several reasons we believe compliance has plummeted of which the primary reason is the pandemic and the trickle-down effect of mandatory closures, as well as job and housing loss, which has resulted in address changes and minor school changes. Exacerbating the issue further was the lack of access to file compliance documents in-person and obtain legal advice from the legal aid center due to closures, as well as guardian illness and deaths from COVID-19.



To manage cases and ensure compliance, the Nevada Statewide Rules for Guardianship, specifically Rule 10, requires the Court to make specific findings regarding the protected person’s current health and welfare; the reasons guardianship does or does not remain necessary; if maintaining the guardianship serves the protected person’s best interest; and if the location and if circumstances of the protected person are unknown to the court and/or parties of record, an investigation shall be ordered by the court to verify the status of the protected person. The requested investigator position will assist with reviewing all cases in an effort to increase case compliance. This position will also assist with Rule 10 cases to locate information and make contact with the guardian(s) and protected person(s). The current investigative staff cannot actively manage current caseload assignments as well as the increase in investigator activity to locate the protected minors to assist with increasing case compliance.

In order to assist with increasing guardianship case compliance the GCD is requesting one (1) additional full-time investigator to assist with locating protected minors and their guardian(s). One of the goals of the new investigator position is to assist with increasing the minor case compliance to 80% or greater. This position will focus on case compliance by reviewing non-compliant cases, researching and obtaining information to assist with locating the individuals, as well as contacting the guardian(s) and protected person(s) to discuss the submission of all annual compliance reports and to determine the overall wellbeing, safety, and security of protected minors and protected adults, as the minor workload permits.

The estimated salary cost for a new compliance investigator is \$57,765.51, and the estimated cost for benefits is \$33,171.20. The anticipated capital outlay for the position is \$5,000 for office equipment. The estimated total costs for the position for the first year is \$95,936.71. The projected cost over a five-year period is \$508,225.39.

Table 1
FIRST YEAR COSTS FOR EACH POSITION

Title	Schedule	Base Salary	Benefits	Capital Outlay	Total Cost First Year
Investigator	I28	\$57,765.51	\$33,171.20	\$5,000.00	\$95,936.71

Table 2
TOTAL COSTS OVER FIVE YEARS

Year	Salary	Benefits	Capital Outlay	Total
1	\$57,765.51	\$33,171.20	\$5,000	\$95,936.71
2	\$61,231.44	\$34,276.83	\$0	\$95,508.27
3	\$64,905.33	\$35,448.80	\$0	\$100,354.13
4	\$68,799.65	\$36,691.09	\$0	\$105,490.74
5	\$72,927.63	\$38,007.92	\$0	\$110,935.55
Total				\$508,225.39