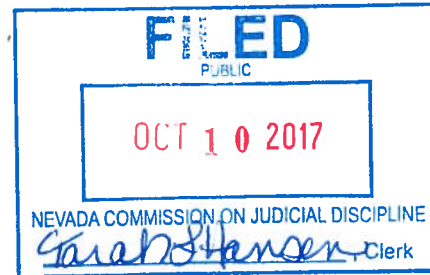


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9 Prosecuting Officer for the Nevada  
10 Commission on Judicial Discipline



8 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

10 IN THE MATTER OF THE HONORABLE  
11 JENNIFER HENRY, Hearing Master for the Eighth  
12 Judicial District Court, Family Division, County of  
13 Clark, State of Nevada,

CASE NO. 2016-142-P

14 Respondent.

15 **FORMAL STATEMENT OF CHARGES**

16 COMES NOW Thomas C. Bradley, Prosecuting Officer for the Nevada Commission on  
17 Judicial Discipline ("Commission" or "NCJD"), established under Article 6, Section 21 of the  
18 Nevada Constitution, who, in the name of and by the authority of the Commission, as found in  
19 NRS 1.425 - 1.4695, files this Formal Statement of Charges and informs the Respondent, the  
20 Honorable Jennifer Henry, Hearing Master for the Eighth Judicial District Court, Family Division,  
21 County of Clark, State of Nevada ("Respondent"), that the following acts were committed by  
22 Respondent and warrant disciplinary action by the Commission under the Revised Nevada Code  
23 of Judicial Conduct ("the Code").

24 **FACTUAL ALLEGATIONS**

25 In or about October 10, 2016, Respondent knowingly, and in her capacity as a Hearing  
26 Master for the Eighth Judicial District Court, Family Division, County of Clark, State of Nevada,  
27 engaged in the following acts or a combination of these acts ("acts or actions"):

1 On October 10, 2016, Respondent served as the assigned hearing master in a contested  
2 juvenile hearing in which a juvenile was accused of running away from police officers after the  
3 police officers had approached a group of teenagers who were on the street smoking marijuana at  
4 3:00 a.m. in the morning. As part of a plea agreement, the juvenile, through her counsel, agreed to  
5 plead guilty to obstructing an officer, a misdemeanor offense, with all other charges dismissed in  
6 exchange for the prosecutor's sentencing recommendation that the juvenile be given six-months  
7 of probation. The juvenile was represented by Aaron Grigsby, a court appointed attorney. Notably,  
8 Respondent and Mr. Grigsby had a strained professional relationship going back several years.

9 After the plea was entered, Respondent began to ask the juvenile questions regarding her  
10 use of a cell phone which was unrelated to the underlying criminal matter. Counsel Grigsby  
11 advised the Respondent that he did not wish to have his client admit to something that could get  
12 her into more trouble. Respondent ignored counsel's objection which was based on the juvenile's  
13 Fifth Amendment right against self-incrimination and repeatedly asked the juvenile to answer her  
14 questions about the juvenile's use of a cell phone.

15 Respondent lost her temper as Counsel Grigsby continually objected to Respondent's  
16 repeated attempts to question the juvenile regarding the cell phone, and shouted, "ENOUGH",  
17 numerous times to Counsel Grigsby. Respondent then called a recess, and upon resumption of the  
18 hearing, and again began asking the juvenile to answer her questions regarding the juvenile's cell  
19 phone. Counsel Grigsby continued to object noting that he did not want his client to admit to  
20 anything that could result in additional charges.

21 The juvenile followed the advice of her counsel and refused to answer Respondent's  
22 questions regarding the cell phone. Respondent then stated that she was sentencing the juvenile to  
23 nine (9) months of probation instead of six (6) months because the juvenile declined to answer her  
24 questions regarding the use of a cell phone. During the hearing, Respondent also advised Counsel  
25 Grigsby he was obstructing the hearing, making prejudicial comments, and that his misconduct  
26 was not an isolated incident.

1 The Respondent's actions described above violated the Code, including Judicial Canon 1,  
2 Rule 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to promote  
3 confidence in the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to  
4 perform all duties of her judicial office fairly and impartially; Rule 2.3 failing to be free from bias;  
5 Rule 2.5(A) failing to perform judicial and administrative duties competently and diligently; Rule  
6 2.6(A), failing to accord a party's right to be heard; and Rule 2.8 (B), failing to be patient, dignified,  
7 and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with  
8 whom the judge deals in an official capacity. The Respondent abused her judicial authority by  
9 engaging in any or all; or any combination of, the acts listed above.

10 **COUNT ONE**

11 By engaging in the acts, or combination of the acts, listed above, by sentencing the juvenile  
12 to a harsher sentence because the juvenile elected to exercise her Fifth Amendment right against  
13 self-incrimination, Respondent violated the Code, including Judicial Canon 1, Rule 1.1, failing to  
14 comply with the law, including the Code; Rule 1.2, failing to promote confidence in the judiciary;  
15 Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all duties of her  
16 judicial office fairly and impartially; Rule 2.3, failing to be free from bias; and Rule 2.5(A) failing  
17 to perform judicial and administrative duties competently and diligently. The Respondent abused  
18 her judicial authority by engaging in any or all, or any combination of, the acts listed above.


19 **COUNT TWO**

20 By engaging in the acts, or combination of the acts, listed above, in failing to be patient,  
21 dignified and courteous to the juvenile and Counsel Grigsby, Respondent violated the Code,  
22 including Judicial Canon 1, Rule 1.1, failing to comply with the law, including the Code; Rule 1.2,  
23 failing to promote confidence in the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the  
24 law and failing to perform all duties of her judicial office fairly and impartially; Rule 2.5(A) failing  
25 to perform judicial and administrative duties competently and diligently; Rule 2.6(A), failing to  
26 accord a lawyer's right to be heard; and Rule 2.8 (B), failing to be patient, dignified, and courteous  
27 to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge  
28

1 deals in an official capacity. The Respondent abused her judicial authority by engaging in any or  
2 all, or any combination of, the acts listed above.

3 Based on the information above, the Commission shall hold a public hearing on the merits  
4 of these facts and Counts pursuant to NRS 1.4673 and, if violations as alleged are found to be true,  
5 the Commission shall impose whatever sanctions and/or discipline it deems appropriate pursuant  
6 to NRS 1.4677 and other Nevada Revised Statutes governing the Commission.

7  
8 Dated this 9 day of October, 2017.

9  
10 Submitted by:   
11 Thomas C. Bradley, Esq., SBN 1621  
12 Prosecuting Officer for the NCJD  
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1 STATE OF NEVADA )  
2 COUNTY OF WASHOE ) ss  
3 )

4 THOMAS C. BRADLEY, ESQ. being first duly sworn under oath, according to Nevada  
5 law, and under penalty of perjury, hereby states:

6 1. I am an attorney licensed to practice law in the State of Nevada. I have been retained  
7 by the Nevada Commission on Judicial Discipline to serve in the capacity of Prosecuting Officer  
8 in the matter of the Honorable Jennifer Henry, Case No. 2016-142-P.

9 2. I have prepared and reviewed this Formal Statement of Charges against the Honorable  
10 Jennifer Henry, pursuant to the investigation conducted in this matter, and based on the contents  
11 of that investigation and following reasonable inquiry, I am informed and believe that the contents  
12 of this Formal Statement of Charges are true and accurate.  
13

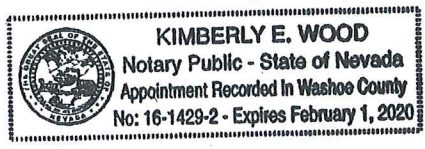
14 Dated this 9 day of October, 2017.

15  
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17 \_\_\_\_\_  
THOMAS C. BRADLEY, ESQ.

18 Subscribed and sworn to before me, a Notary Public

19 This 9<sup>th</sup> day of October, 2017.


20  
21 By:   
NOTARY PUBLIC



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this Formal Statement of Charges was placed in the U.S. mail, postage pre-paid, on this 10 day of October, 2017.

William B. Terry, Esq.  
Law Offices William B. Terry, Chartered  
530 South Seventh Street  
Las Vegas, NV 89101

By:   
David McIntosh, Legal Assistant to  
Thomas C. Bradley, Esq., Prosecuting Officer for NCJD

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