

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

AUG 23 2016

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY CHIEF DEPUTY CLERK

In the Matter of the  
HONORABLE SYLVIA BELLER,  
Hearing Master, Eighth Judicial  
District Court, Family Division, County of Clark,  
State of Nevada,  
Respondent.

Case No.

71098

**CERTIFIED COPY OF STIPULATION AND ORDER OF CONSENT  
TO PUBLIC REPRIMAND**

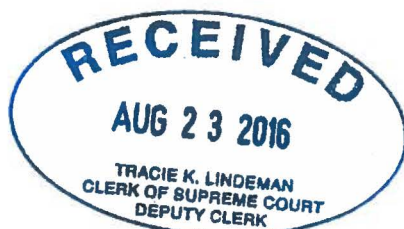
Pursuant to Commission Procedural Rule 29, I hereby certify that the document attached hereto is a true and correct copy of the STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND filed with the Nevada Commission on Judicial Discipline on August 19, 2016.

DATED this 23<sup>rd</sup> day of August, 2016.

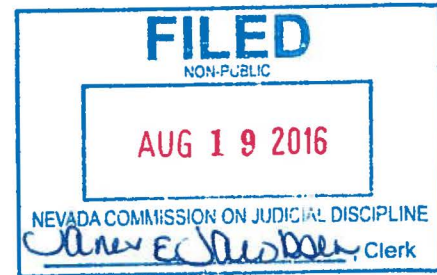
NEVADA COMMISSION ON  
JUDICIAL DISCIPLINE  
P. O. Box 48  
Carson City, NV 89702  
(775) 687-4017



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Nevada Bar No. 6954



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9 Commission on Judicial Discipline



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BEFORE THE COMMISSION ON JUDICIAL DISCIPLINE  
STATE OF NEVADA

IN THE MATTER OF THE HONORABLE ) CASE NO.: 2015-057  
SYLVIA BELLER, Hearing Master, Eighth )  
Judicial District Court, Family Division, State of )  
Nevada, )  
Respondent )

**STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND**

In order to resolve the pending May 8, 2015 Verified Statement of Complaint by Eighth District Court Judge Charles Hoskin and the March 25, 2016 Request for Investigation by the Nevada Commission on Judicial Discipline (the "Commission"), the Respondent stipulates to the following pursuant to Commission Procedural Rule 29:

1. Respondent admits she violated the Revised Nevada Code of Judicial Conduct ("Code"), specifically Canon 2, Rule 2.8 (B) requiring her to maintain decorum in the courtroom, acting with a fair and impartial demeanor to lawyers practicing before her, by doing a singular act, a combination of acts, or all of the following acts:

A. On or about April, 23, 2015, Respondent modified a judicial order, allegedly to protect herself from a potential ethics complaint from a Clark County Deputy District Attorney ("Deputy") appearing before her. However, Respondent states she changed the order based on the evidence presented to her throughout the protracted hearing. During this appearance, the

1 Respondent engaged in unprofessional behavior in the course of refusing to  
2 issue a bench warrant for an errant parent. The Respondent stated on the  
3 record that if the Deputy appealed her, it would make him look like an "idiot"  
4 and a "baby" and that such an appeal would be "pathetic", "dumb", "silly"  
5 and a waste of court resources. She also made negative comments regarding  
6 the D.A. office's alleged policy of "objection quotas". After making these  
7 and other negative comments toward the Deputy and his office, she told him:  
8 "file an ethics complaint against me... ." The Respondent then concluded the  
9 Deputy's appearance by telling a story about the television show "Survivor"  
10 in which a deal was made between the survivors and which one of the  
11 contestants ultimately reneged on. She then reversed her earlier ruling and  
12 issued the bench warrant for the Deputy.

- 13 2. By letter dated May 8, 2015, from David Barker, Chief Judge, Eighth Judicial District  
14 Court, Respondent was informed her employment as a Court Hearing Master was  
15 terminated as an "at will" employee.
- 16 3. In a letter to Chief District Judge David B. Barker dated May 12, 2015; Respondent  
17 resigned her position as Hearing Master effective May 8, 2015.
- 18 4. Respondent agrees to waive her right to present her case before the Commission,  
19 contesting the allegations in the information set forth above, in a formal hearing  
20 pursuant to Commission Procedural Rule 18. Respondent also agrees that this Order  
21 takes effect immediately pursuant to Procedural Rule 29. The Commission accepts  
22 Respondent's waiver of said right and acknowledges and agrees to the immediate  
23 effect of this Order. Respondent further agrees to appear before the Commission in a  
24 public proceeding to discuss this Stipulation and Order in more detail and answer any  
25 questions from the Commissioners related to this document.
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5. Respondent agrees and acknowledges that this Stipulation and Order will be published on the Commission's website and filed with the Clerk of the Nevada Supreme Court.
  6. Respondent and the Commission hereby stipulate to Respondent's consent to public reprimand pursuant to Commission Procedural Rule 29. Respondent stipulates to the following substantive provisions:
    - A. She stipulates to a public reprimand by the Commission for violations of the Judicial Canon and Rule as set forth above in paragraph (1) (A).
    - B. She agrees the discipline of public reprimand is authorized by Article 6, Section 21 (1) of the Nevada Constitution and Rule 29 of the Procedural Rules of the Commission.
    - C. She agrees the evidence available to the Commission would establish by clear and convincing proof that she violated Canon 2, Rule 2.8 (B).
  7. The Respondent understands and agrees that by accepting the terms of this Stipulation, she waives her right to appeal to the Nevada Supreme Court pursuant to Rule 3D of the Nevada Rules of Appellate Procedure.

**ORDER**

IT IS HEREBY ORDERED that Respondent be and hereby is publicly reprimanded for violating Canon 2, Rule 2.8 (B).

IT IS FURTHER HEREBY ORDERED that the Commission Executive Director take the necessary steps to file this document in the appropriate records and on the website of the Commission and with the Clerk of the Nevada Supreme Court.

  
Sylvia Beller, Esq.  
Respondent

Dated this 15 day of August, 2016

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3 Timothy S. Cory, Esq.  
Attorney for Respondent

4 Dated this 16 day of August, 2016

5 NEVADA COMMISSION ON  
6 JUDICIAL DISCIPLINE  
7 P.O. Box 48,  
8 Carson City, Nevada 89702

9 By: Kathleen M. Paustian  
10 Kathleen M. Paustian, Esq.  
11 Prosecuting Officer

12 Dated this 16 day of August, 2016

13 The Commissioners listed below accept the terms of this Stipulation and Order of  
14 Consent to Public Reprimand between the Respondent and the Commission. They further  
15 authorize the Chairman, if requested, to sign on behalf of the Commission, as a whole, this  
16 document containing the Stipulation and Order of Consent to Public Reprimand of the  
17 Respondent.

18  
19 NEVADA COMMISSION ON JUDICIAL DISCIPLINE:

20 Signed by:

Dated:

21 Gary Vause  
22 GARY VAUSE, CHAIRMAN

08/19/2016

23  
24 Gary Vause

25 Mary Lau

26 Hon. Leon Aberasturi

27 Karl Armstrong  
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1 Bruce C. Hahn

2 Stefanie Humphrey

3 Hon. Jerome Polaha

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2 **CERTIFICATE OF MAILING**

3 I hereby certify that on the 23<sup>rd</sup> day of August, 2016, I served a copy of the CERTIFIED  
4 COPY OF STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND, filed  
5 with the Nevada Supreme Court, by United States Mail, postage pre-paid, addressed to the  
6 undersigned:

7 Timothy S. Cory, Esq.  
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9 8831 West Sahara Avenue  
10 Las Vegas, NV 89117  
11 [Tim.cory@corylaw.us](mailto:Tim.cory@corylaw.us)  
12 Counsel for Respondent

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18 Special Counsel

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JANET E. JACOBSEN  
Commission Clerk