

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 CATHERINE RAMSEY,
Municipal Court Judge, City of North Las Vegas,
County of Clark, State of Nevada,
Respondent.

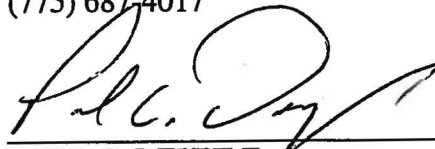
Case No. 71096

**CERTIFIED COPY OF STIPULATION AND ORDER OF CONSENT
TO DISCIPLINE**

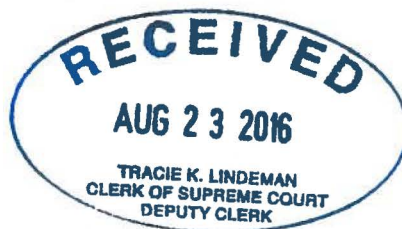
Pursuant to Commission Procedural Rule 29, I hereby certify that the document attached hereto is a true and correct copy of the STIPULATION AND ORDER OF CONSENT TO DISCIPLINE filed with the Nevada Commission on Judicial Discipline on August 19, 2016.

DATED this 22nd day of August, 2016.

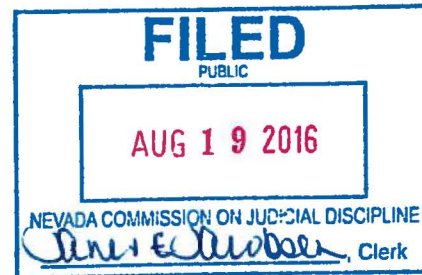
NEVADA COMMISSION ON
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9 Commission on Judicial Discipline



BEFORE THE COMMISSION ON JUDICIAL DISCIPLINE

STATE OF NEVADA

10 IN THE MATTER OF THE
11 HONORABLE CATHERINE RAMSEY, }
12 Municipal Court Judge, }
13 City of North Las Vegas, State of Nevada, }
14 Respondent. }

CASE NO.: 2014-093-P

STIPULATION AND ORDER OF CONSENT TO DISCIPLINE

15 In order to resolve the pending February 22, 2016 Formal Statement of Charges filed
16 against her by the Nevada Commission on Judicial Discipline (the "Commission"), the
17 Respondent stipulates to the following, pursuant to Commission Procedural Rule 29:
18

- 19 1. Respondent admits she committed violations of the Preamble of the Revised Nevada
20 Code of Judicial Conduct ("Code") by failing to maintain the dignity of her office and to
21 avoid impropriety and the appearance of impropriety and to act at all times to ensure
22 public confidence in her independence and integrity, as well as Judicial Canon ("Canon")
23 1, Rule 1.1, failure to comply with the law, including Canons and statutes governing the
24 judiciary; Rule 1.2, mandating that she promote public confidence in the judiciary and
25 the independence and integrity of the judiciary; Canon 2, Rule 2.2, requiring her to
26 uphold and apply the law and conduct herself fairly and impartially; Rules 2.3(A),
27 prohibiting acting with bias or prejudice in the course of her official duties, and 2.3(B),
28

1 precluding Respondent from engaging in conduct manifesting bias or prejudice while
2 performing judicial duties; Rules 2.5 (A) requiring her to perform her duties competently
3 and diligently, and 2.5 (B), requiring Respondent to cooperate with other judges and
4 court officials in the administration of court business; Rule 2.6(A), requiring her to afford
5 all parties a right to be heard; Rule 2.8(B), mandating that Respondent show patience,
6 dignity and courtesy toward lawyers, court staff and others; Rule 2.9(A), prohibiting ex
7 parte communications; Rule 2.11(A)(1), requiring disqualification for bias; and Canon 3,
8 Rule 3.1(E), prohibiting improper use of court resources, by doing a singular act, a
9 combination of acts, or all of the following acts:

- 10
11 A. On or about December 3 and 4, 2013 and January 9, 2014, Respondent charged
12 twelve thousand dollars (\$12,000) on her City of North Las Vegas purchase card
13 to pay for legal services from the Lyons Law Firm to defend her in a personal
14 law suit brought against her. The City had denied her request for a defense and
15 her fellow municipal judge and the court administrator advised her not to use her
16 card for this purpose. During the first half of 2014, Respondent failed to
17 cooperate with court administration, as requested by the City, to reconcile the
18 purchases made with the card. These actions by Respondent constitute a failure
19 to cooperate with other judges and administrative officials of the court in
20 violation of Rule 2.5(B) and constituted a failure to promote confidence in the
21 integrity of the judiciary in violation of Rule 1.2.
- 22 B. From on or about June 12, 2013 until on or about March 12, 2014, Respondent
23 presided on the *City of North Las Vegas v. Hernandez*, no. CR011724-12, in
24 which the defendant was charged with hitting a child with a vehicle and fleeing
25 the scene. Respondent, *sue sponte*, amended the charges, accepted a guilty plea
26 and sentenced the defendant outside the presence of the North Las Vegas City
27 Attorney's Office ("Office"), despite her knowledge that the Office wanted to be
28 heard. Respondent was also aware the parties had been in negotiation regarding
the case. These actions violated Rules 2.6(A), requiring all parties be given the
opportunity to be heard, and 2.9(A), prohibiting ex parte communications.
Respondent's amendment of the charge was a violation of the separation of

1 powers, as well as a failure to comply with the law and a failure to promote
2 confidence in the independence of the judiciary in violation of Rules 1.1 and
3 1.2.

4 C. On or about October 22, 2012, in the case of *City of North Las Vegas v. Olton*
5 *Gwynes*, no. CR009460-112, and on or about March 4, 2013, in the case of *City*
6 *of North Las Vegas v. Sheila Banks*, no. CR000330-13, and continuing with
7 numerous other cases until in or about September of 2014, Respondent presided
8 over misdemeanor cases being resolved by agreement between the defendants
9 and the City Attorney's Office. Respondent either expressly or impliedly agreed
10 in open court with the resolution suggested by one or more parties to the cases
11 and did not accurately enter the agreed resolution in the records of the cases
12 and/or changed the records of the cases, while failing to notify all parties of the
13 changes. These actions by Respondent violated the Preamble, requiring that she
14 maintain the dignity of her office, avoiding impropriety and the appearance of
15 impropriety; as well as Rule 1.1, requiring Respondent to comply with the law
16 by rejecting such plea bargains. With these actions, Respondent also violated
17 the separation of powers and Rule 2.2, requiring her to perform her duties fairly
18 and impartially, because she favored, or appeared to favor, one side in these
19 cases; along with Rule 2.5, requiring Respondent to perform her duties
20 competently, because she failed to ensure the case records were accurate and
21 Rule 2.6(A), by denying the parties a right to be heard.

22 D. From in or about February of 2014 and continuing for several months,
23 Respondent dismissed *sua sponte* complaints or warrants in misdemeanor
24 cases brought by the City Attorney's Office in which the complaints
25 contained the electronic signature of a former city attorney or the warrants
26 contained the electronic signature of Respondent's fellow municipal court
27 judge. With an improper motive to retaliate against the City or the City
28 Attorney's Office, Respondent dismissed these complaints or warrants
without prior notice to the Office, thus depriving the Office of the
opportunity to be heard to remedy any issues. Respondent also dismissed
these complaints or warrants without the cooperation of her fellow

1 municipal court judge or court administrator, thus denying them the
2 opportunity to remedy any issues. Respondent's actions constitute a
3 violation of the Preamble based on her failure to maintain the dignity of the
4 office, to avoid impropriety and the appearance of impropriety, and to act at
5 all times to ensure public confidence in her independence and integrity on
6 the bench. Said actions also violate Rule 1.1, requiring Respondent to
7 comply with the law; Rule 1.2, requiring promotion of confidence in the
8 integrity and impartiality of the judiciary, Rules 2.5 (A), requiring
9 competence, and (B), requiring cooperation with other judges and court
10 officials; and Rules 2.11(A)(1), for failing to disqualify herself for bias, and
then acting with bias in violation of 2.3(A).

11 E. In or about February and March of 2014, Respondent presided over a trial
12 in the criminal case of *North Las Vegas v. Calone*, no. CR007121-13, during
13 which Respondent advised the defendant to file a motion for summary
14 judgment, refused to take a plea by the defendant, threatened the City
15 Attorney's Office with a dismissal if another videotape of the incident was
16 not located and generally acted in a combative manner to the deputy City
17 Attorney in the case. These actions by the Respondent violated the
18 Preamble based on the Respondent's failure to maintain the dignity of her
19 office, failure to avoid impropriety and the appearance of impropriety and
20 failing to act at all times to ensure public confidence in her independence
21 and integrity. These acts also violated Rule 1.1, requiring compliance with
22 the law, and 1.2, requiring judges to promote confidence in the judiciary, as
23 well as Rule 2.2, mandating that judges uphold and apply the law with
24 impartiality and fairness; Rule 2.3(A), requiring jurists to avoid bias or the
25 appearance of bias; Rule 2.5(A), requiring competency while discharging
26 judicial and administrative duties and 2.8(B), instructing jurists to show
patience, dignity and courtesy toward lawyers, court staff and others.

27 F. On or about April 24, 2014, Respondent presided over a trial in the criminal
28 case of *North Las Vegas v. Gallardo*, no. CR000127-14. Without the consent

1 of, or a motion from, the City Attorney's Office, and contrary to the
2 agreement of the parties, Respondent amended the charged misdemeanor
3 of battery domestic violence, second offense, to a first offense. This action
4 violated the separation of powers and was a failure to comply with the law
5 as required by Rule 1.1. By her actions, Respondent also failed to promote
6 confidence in the independence and impartiality of the judiciary pursuant
7 to Rule 1.2.

8 G. From in or about late 2011 to the present, Respondent acted improperly in
9 her interactions with court staff, including, but not limited to, clerks and
10 marshals:

- 11 1. From in or about November of 2012 to in or about May of 2014,
12 Respondent required that her Judicial Executive Assistant (JEA), Kathryn
13 Avena, perform duties of a personal nature for Respondent during and after
14 business hours. Respondent also became improperly involved in her JEA's
15 medical situation by accompanying Ms. Avena to a doctor's appointment,
16 without Ms. Avena's consent, and by improperly communicating Ms. Avena's
17 medical condition to others.
- 18 2. At various times from in or about late 2011 to in or about 2014,
19 Respondent communicated to clerks, marshals and her JEA that Respondent
20 or the Court would invoke their authority to lay off or terminate them and
21 would require them to re-apply, hiring them back at lower pay.
- 22 3. Respondent generally created or fostered an atmosphere of fear and
23 apprehension for the clerks, marshals and her JEA.
- 24 4. In or about 2013 to in or about 2014, Respondent failed to work with her
25 fellow municipal court judge and the court administrator, as agreed, in dealing
26 with staff.

27 These actions by Respondent violated the Preamble with her failure to maintain
28 the dignity of her office and failure to avoid impropriety or the appearance of the
same, as well as Rules 1.2, requiring promoting confidence in the judiciary;
2.3(A) and (B), precluding bias, prejudice or harassment; 2.5(B), requiring
cooperation with other judges and court officials; 2.8(B), requiring patience,

1 dignity and courtesy toward staff, and 3.1(E), prohibiting improper use of court
2 resources.

3 H. From in or about late 2011 to the present, Respondent acted improperly, with
4 bias, in her interactions with deputies from the City Attorney's Office, including,
5 but not limited to, Deep Goswami, Steve Webster and Kim Phillips, by:

6 1. Commenting to numerous individuals that deputies are lazy or
7 unintelligent.

8 2. Exhibiting hostile, combative, arbitrary, unreasonable and demeaning
9 behavior to deputies, by:

10 a. treating them in a hostile and unreasonable manner in the *Gallardo*
11 case, no. CR127-14, and in *North Las Vegas v. Banuelos*, nos. CR000500-14,
12 CR000483-14 and CR001392-14; and

13 b. treating deputies differently than other attorneys by imposing
14 unreasonable requirements on deputies in cases or in regards to pleading
15 forms, or both; and

16 c. changing requirements in courtroom procedure without notice.

17 These actions by Respondent violated Rule 1.2, requiring a judge to act at all
18 times to promote public confidence in the integrity and impartiality of the office;
19 Rules 2.2, requiring impartiality and fairness; 2.3(A), prohibiting bias, 2.8(B),
20 requiring judges to exhibit patience, dignity and courtesy and Rule 2.11,
21 requiring disqualification for personal bias.

22 2. Respondent admits to all the allegations brought against her in Counts Two (2) through
23 Eight (8) of the Formal Statement of Charges, filed February 22, 2016 and paragraph (1)
24 (B) through (H) as set forth above. As to Count One (1) of the Formal Statement of
25 Charges, and paragraph (1) (A) as set forth above, the Commission agrees to hold Count
26 One (1) in abeyance and Respondent agrees to waive any and all jurisdictional defects, to
27 ensure Respondent complies with the decision and/or the settlement of Nevada Eighth
28 Judicial Court case, *Catherine Ramsey v. City of North Las Vegas* (case no. A-16-
731246-C, consolidated into case no. A-13-685426-C).

1 3. Respondent agrees to waive her right to present her case before the Commission,
2 contesting the allegations in the information set forth above, in a formal hearing pursuant
3 to Commission Procedural Rule 18. Respondent also agrees that this Order takes effect
4 immediately pursuant to Procedural Rule 29. The Commission accepts Respondent's
5 waiver of said right and acknowledges and agrees to the immediate effect of this Order.
6 Respondent further agrees to appear before the Commission in a public proceeding to
7 discuss this Stipulation and Order in more detail and answer any questions from the
8 Commissioners related to this document.

9 4. Respondent agrees and acknowledges that this Stipulation and Order will be published on
10 the Commission's website and filed with the Clerk of the Nevada Supreme Court.

11 5. Respondent and the Commission hereby stipulate to Respondent's consent to discipline
12 pursuant to Commission Procedural Rule 29. Respondent stipulates to the following
13 substantive provisions:

14 A. To facilitate the Commission's acceptance of this Stipulation and Order, the
15 Respondent voluntarily agrees to not seek re-election to another term, meaning
16 she will not register to run again in 2017 for the North Las Vegas Municipal
17 Court seat she currently holds.

18 B. The Respondent accepts a suspension of three (3) months without pay to begin
19 running three (3) months prior to the end of her current term as a North Las
20 Vegas Municipal Judge.

21 C. The Respondent will issue a written apology to the three (3) Complainants who
22 have brought Complaints against her with the Commission.

23 D. The Respondent will admit wrongdoing in regards to Counts Two (2) through
24 Eight (8) in the Formal Statement of Charges.

25 E. The Respondent agrees to submit to a fitness for duty exam at her expense.

26 F. In regards to Count One (1) of the Formal Statement of Charges, the Commission
27 agrees to hold it in abeyance and Respondent agrees to waive any and all
28

1 jurisdictional defects, to ensure Respondent complies with the decision and/or the
2 settlement of the Nevada Eighth Judicial Court case, *Catherine Ramsey v. City of*
3 *North Las Vegas* (case no. A-16-731246-C, consolidated into case no. A-13-
4 685426-C.)

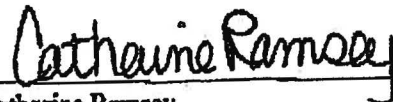
5 G. The Respondent agrees the evidence available to the Commission would establish
6 by clear and convincing proof that she violated the Preamble and Canons and
7 Rules listed above in paragraph one (1).

8 6. The Respondent understands and agrees that by accepting the terms of this Stipulation,
9 she waives her right to appeal to the Nevada Supreme Court pursuant to Rule 3D of the
10 Nevada Rules of Appellate Procedure.

11 **ORDER**

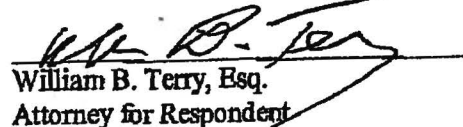
12 IT IS HEREBY ORDERED that Respondent be and hereby is disciplined in the manner
13 set forth in this Stipulation and Order of Consent to Discipline for violating the Preamble to the
14 Code, along with Canon 1, Rule 1.1, Rule 1.2; Canon 2, Rule 2.2, 2.3(A) and (B), Rule 2.5(A)
15 and (B), Rule 2.6(A), Rule 2.8(B), Rule 2.9(A), Rule 2.11(A)(1) and Canon 3, Rule 3.1(E).

16
17 IT IS FURTHER HEREBY ORDERED that the Commission Executive Director take the
18 necessary steps to file this document in the appropriate records and on the website of the
19 Commission and with the Clerk of the Nevada Supreme Court.

20
21 

22 Catherine Ramsey
23 Respondent

24 Dated this 18 day of August, 2016

25 
26 William B. Terry, Esq.
27 Attorney for Respondent

28 Dated this 18 day of August, 2016

NEVADA COMMISSION ON
JUDICIAL DISCIPLINE
P.O. Box 48,
Carson City, Nevada 89702

By: Kathleen M. Paustrian
Kathleen M. Paustrian, Esq.
Prosecuting Officer

Dated this 18 day of August, 2016

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

NEVADA COMMISSION ON JUDICIAL DISCIPLINE:

Signed by:

Dated:

Gary Vause
GARY VAUSE, CHAIRMAN

08/19/2016

Gary Vause

Karl Armstrong

Hon. Leon Aberasturi

Bruce C. Hahn

Stefanie Humphrey

Mary Lau

Hon. Jerome Polaha

1
2 **CERTIFICATE OF MAILING**

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

6 William B. Terry, Esq.
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info@williamterrylaw.com
Counsel for Respondent

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Special Counsel

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16 JANET E. JACOBSEN
17 Commission Clerk
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