

FILED

AUG 01 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

IN THE SUPREME COURT OF THE
STATE OF NEVADA

In the Matter of)
)
THE HONORABLE NANCY SAITTA,)
Senior Judge, Eighth Judicial District Court,)
Clark County, State of Nevada,)
)
Respondent.)

CASE NO. 85101

**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 1, 2022.

DATED this 1st day of August, 2022.

NEVADA COMMISSION
ON JUDICIAL DISCIPLINE
P.O. Box 18123
Reno, NV 89511
(775) 687-4017

By: [Signature]
PAUL C. DEYHLE
General Counsel and Executive Director
Nevada Bar No. 6954

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AUG 01 2022
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

22-24115

AUG 01 2022

BEFORE THE NEVADA COMMISSION ON JUDICIAL CONDUCT AND JUDICIAL DISCIPLINE

[Signature]
Clerk

IN THE MATTER OF THE HONORABLE,
NANCY SAITTA, Senior Judge,
Eighth Judicial District Court, Clark County,
State of Nevada,

Case No.: 2020-081-P

Respondent.

STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND

In order to resolve the judicial conduct complaint pending before the Nevada Commission on Judicial Discipline (the "Commission"), the Respondent, Honorable Nancy Saitta, Senior Judge, Eighth Judicial District Court, Clark County, State of Nevada ("Respondent" or "Judge Saitta"), and the Commission stipulate to the following pursuant to Commission Procedural Rule ("CPR") 29:

1. Respondent admits that she violated Canon 1 of the Revised Nevada Code of Judicial Conduct ("Code"), Rule 1.1, requiring the Respondent to comply with the law, including the Code itself; and Canon 2 of the Code, Rule 2.5(A), requiring Respondent to perform judicial and administrative duties competently and diligently, or any of these rules, in her capacity as a Senior Judge in and for the Eighth Judicial District Court ("EJDC"), in Clark County, State of Nevada, by knowingly or unknowingly engaging in an act, a combination of acts, or all of the following acts, which occurred during the circumstances stated below:

A. During the period spanning December, 2017, through November 3, 2021, in the matter of *Ansell v. Ansell*, EJDC Case No. D-15-521960-D (a divorce/child custody case), Respondent presided over a divorce trial on December 13-15, 2017, but failed to timely issue a written divorce decree until February 5, 2021 (over 3 years). Respondent also failed to timely resolve and issue orders on other outstanding post-trial matters, including the Respondent's Findings of Fact, Conclusions of Law and Order Regarding Post Trial Motions, which was issued on November 3, 2021 (approximately 4 years after the divorce trial).

///

1 B. During the time frame identified above, Respondent (i) failed to request
2 proposed findings of fact and conclusions of law, as well as the divorce decree, from counsel
3 (which Respondent acknowledged was standard practice following a trial) for over 5 months; (ii)
4 did not timely respond to proposed orders/decrees submitted by counsel for over 3 years, despite
5 repeated attempts by counsel requesting that Respondent finalize and issue them; (iii) repeatedly
6 represented to counsel over several years during multiple status hearings that the orders/decree
7 were in final editing, but later acknowledged during the Commission investigation that she, in fact,
8 signed defendant's proposed decree without editing it; (iv) was not completely aware of the status
9 of the case and pending submissions, including whether certain orders were signed or matters
10 resolved, even after representing to counsel numerous times during previous hearings that she
11 would inquire as to the status of such orders/matters; (v) failed to comply with Supreme Court
12 Rule 251, which requires district courts to resolve issues affecting child custody and visitation
13 within 6 months of filing of a responsive order; (vi) failed to enter detailed minute orders; and (vii)
14 withdrew her oral rulings after a hearing due to discovered deficiencies in those rulings (i.e.,
15 omissions of material information), which demonstrates that she was not completely prepared for
16 such hearing.

17 C. Respondent notes the following mitigating factors:

- 18 1. The matter was a complex divorce;
- 19 2. All departments in the Family Division of the Eighth Judicial
20 District Court were disqualified from hearing the matter, preventing Respondent from receiving
21 assistance from law clerks or judicial executive assistants in the Family Division;
- 22 3. At various times, the Defendant was not represented (e.g., her
23 counsel withdrew) and/or only represented as to certain aspects of the matter (i.e., an unbundled
24 representation); and
- 25 4. Respondent's failure to comply with the six-month requirement of
26 SCR 251 (by approximately two months) on Defendant's Petition to Relocate was exacerbated by
27 the parties' desire to conduct extensive discovery on the issue and due to conflicts with
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1 Defendant's schedule (Defendant requested to reschedule the hearing multiple times).

2 2. Respondent admits to all the allegations and mitigating factors in paragraphs (1)(A)
3 through (C) as set forth above.

4 3. Respondent agrees to waive her right to present her case and contest the allegations
5 in the information set forth above in a formal hearing pursuant to CPR 18. Respondent also agrees
6 that this Stipulation and Order of Consent to Public Reprimand ("Order") takes effect immediately,
7 pursuant to CPR 29. The Commission accepts Respondent's waiver of said right and acknowledges
8 and agrees to the immediate effect of this Order. Respondent further agrees to appear before the
9 Commission in a public proceeding, if required by the Commission, to discuss this Order in more
10 detail and to answer any questions from the Commissioners related to this case.

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

13 5. Respondent and the Commission hereby stipulate to Respondent's consent to a
14 public reprimand pursuant to CPR 29. Notwithstanding the mitigating factors (as noted above),
15 Respondent nevertheless stipulates to the following substantive provisions:

16 A. She agrees the evidence available to the Commission would establish by
17 clear and convincing proof that she violated the Code, including Canon 1, Rule 1.1 and Canon 2,
18 Rule 2.5(A).

19 B. She further agrees that her actions as described above in the matter of *Ansell*
20 *v. Ansell*, EJDC Case No. D-15-521960-D, constitute an aggravating factor for purposes of
21 imposition of discipline in this matter, and merit the specific discipline stipulated to herein.

22 C. She agrees the discipline of public reprimand is justified and authorized by
23 Article 6, Section 21(1) of the Nevada Constitution; NRS 1.428; NRS 1.4653; NRS 1.4677(1)(a);
24 NRS 1.4694; CPR 29; and Code Application Sections I, II and III.

25 D. She stipulates to a public reprimand for violations of the Judicial Canons
26 and Rules as set forth above in paragraph (1).

27 6. Respondent understands and agrees that, by accepting the terms of this Order, she
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waives her right to appeal to the Nevada Supreme Court, pursuant to Rule 3D of the Nevada Rules of Appellate Procedure. Respondent also waives all other forms of extraordinary relief for purposes of challenging this Order.

ORDER

IT IS HEREBY ORDERED that Respondent is hereby publicly reprimanded for violating the Code, Canon 1, Rule 1.1 and Canon 2, Rule 2.5(A).

IT IS FURTHER ORDERED that the Executive Director of the Commission 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.

DATED 7.25.22



NANCY SAIITA, Senior Judge
Respondent

DATED: 7/26/2022



THOMAS J. DONALDSON, Esq.
Prosecuting Officer for the Nevada
Commission on Judicial Discipline

1 **NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

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

6 Signed by:

Dated:

7 
8 GARY VAUSE, CHAIRMAN

August 1, 2022

9 Concurring:

10 GARY VAUSE

11 STEFANIE HUMPHREY

12 KARL ARMSTRONG

13 HON. THOMAS GREGORY

14 JOSEPH SANFORD

15 HON. THOMAS STOCKARD

16 Dissenting:

17 BILL HAMMER
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1 CERTIFICATE OF SERVICE

2 I hereby certify that I am an employee of the Nevada Commission on Judicial Discipline and that on the
3 1st day of August, 2022, I served a copy of the STIPULATION AND ORDER OF CONSENT TO PUBLIC
4 REPRIMAND by email and U.S. Mail, addressed to the following:
5

6 Paul C. Williams
7 Bailey Kennedy, LLP
8 8984 Spanish Ridge Avenue
9 Las Vegas, NV 89148-1302
10 PWilliams@BaileyKennedy.com
11 Counsel for Respondent

12 Thomas J. Donaldson
13 Dyer Lawrence
14 2805 Mountain Street
15 Carson City, NV 89703
16 TDonaldson@dyerlawrence.com
17 Prosecuting Officer

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By:  _____
Nancy Schreihans, Commission Clerk