

FILED

DEC 21 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

IN THE SUPREME COURT OF THE
STATE OF NEVADA

In the Matter of)
)
THE HONORABLE KATHLEEN DELANEY,)
District Court Judge, Eighth Judicial District)
Court, Clark County, State of Nevada,)
)
Respondent.)
_____)


CASE NO. 85859

**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 December 21, 2022.

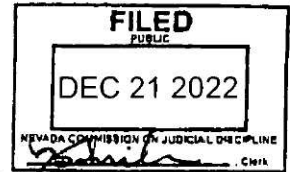
DATED this 21st day of December, 2022.

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

By: 

PAUL C. DEYHLE
General Counsel and Executive Director
Nevada Bar No. 6954

22-40103



BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE

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IN THE MATTER OF THE HONORABLE,
KATHLEEN DELANEY, District Court Judge,
Eighth Judicial District Court, Clark County,
State of Nevada,

Case Nos.: 2021-025-P
2022-026-P

Respondent.

STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND

In order to resolve the judicial conduct complaints pending before the Nevada Commission on Judicial Discipline (the "Commission"), the Respondent, Honorable Kathleen Delaney, District Court Judge, Eighth Judicial District Court, Clark County, State of Nevada ("Respondent" or "Judge Delaney"), 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, in her capacity as a District Court 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. Related to Case No. 2021-025-P, during the period spanning October, 2018, through November, 2021, in the matter of *Blue Lake Holdings Group, Inc., v. Robert Frimet, et al.*, EJDC Case No. A-15-717100-C (a fraudulent transfer case), Respondent presided over a bench trial on October 30, 2018, through November 6, 2018, and entered a minute order directing counsel to submit their closing arguments in writing by November 20, 2018, for the Court to issue a decision. However, Respondent failed to timely issue Findings of Fact, Conclusions of Law and Judgment, a final decision not being issued for almost 3 years until November 3, 2021.

1 i. During the timeframe identified directly above, Respondent (a)
2 failed to request proposed Findings of Fact, Conclusions of Law and Judgment from counsel; (b)
3 did not timely respond to or take action on counsels' joint request for submission filed on April
4 29, 2019; and, (c) at a status hearing (requested by counsel) on or about October 20, 2020,
5 apologized for the delay and represented to counsel to expect a ruling by the end of October, 2020.

6 ii. On or about June 24, 2021, Complainant filed a Petition for Writ
7 of Mandamus ("Petition") with the Nevada Supreme Court to compel Respondent to issue a
8 decision. On or about October 22, 2021, the Nevada Supreme Court granted the Petition and on
9 or about November 15, 2021, the Nevada Supreme Court issued a Writ of Mandamus compelling
10 Respondent to issue a written ruling within thirty (30) days. Respondent did not oppose the Petition
11 and entered Findings of Fact, Conclusions of Law and Judgment on November 3, 2021.

12 B. Related to Case No. 2022-026-P, during the period spanning August, 2018,
13 through July, 2021, Respondent did not timely issue decisions in six (6) cases that were submitted
14 for decisions, one of which included a matter referenced in paragraph 1(A), above.

15 i. During the timeframe identified directly above, (a) on or about
16 October 1, 2021, pursuant to EDCR 1.90(c), the Caseflow Review Committee determined that
17 Respondent's caseload had become backlogged due to inactivity, neglect or inadequate
18 management; and (b) in addition to the involvement of the Caseflow Review Committee, a senior
19 judge covered Respondent's calendar.

20 ii. By on or about November 3, 2021, Respondent filed decisions in the
21 six (6) identified cases, some of which were pending for over three (3) years.

22 2. Respondent admits to all the allegations brought against her in paragraphs (1)(A)
23 through (B) as set forth above.

24 3. Respondent agrees to waive her right to present her case and to contest the
25 allegations in the information set forth above in a formal hearing pursuant to CPR 18. Respondent
26 also agrees that this Stipulation and Order of Consent to Public Reprimand ("Order") takes effect
27 immediately, pursuant to CPR 29. The Commission accepts Respondent's waiver of said right and
28 acknowledges and agrees to the immediate effect of this Order. Respondent further agrees to

1 appear before the Commission in a public proceeding, if required by the Commission, to discuss
2 this Order in more detail and to answer any questions from the Commissioners related to this case.

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

5 5. Respondent and the Commission hereby stipulate to Respondent's consent to a
6 public reprimand pursuant to CPR 29. Respondent stipulates to the following substantive
7 provisions:

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

11 B. She further agrees that her actions and inactions as described above
12 constitute aggravating factors for purposes of imposition of discipline in this matter, and merit the
13 specific discipline stipulated to herein.

14 C. She agrees the discipline of a public reprimand is justified and authorized
15 by Article 6, Section 21(1) of the Nevada Constitution; NRS 1.428; NRS 1.4653; NRS
16 1.4677(1)(a); NRS 1.4694; and CPR 29.

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

19 E. She agrees to complete, at Respondent's own expense, a judicial education
20 course/seminar on the topic of caseload, workflow or time management, or such similar
21 course/seminar as may be available with the approval of the Commission's Executive Director
22 within six (6) months of the filing date of this Order.

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

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ORDER

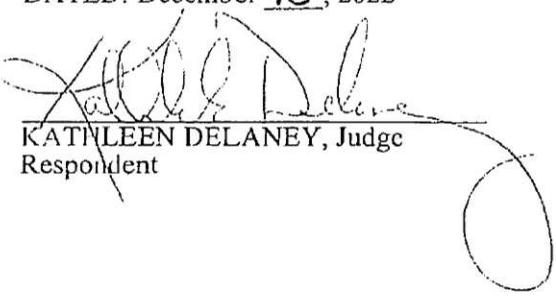
IT IS HEREBY ORDERED that Respondent is hereby publicly reprimanded for violating the Code, Canon 1, Rule 1.1, and Canon 2, Rule 2.5(A).


IT IS FURTHER ORDERED that Respondent shall complete, at her own expense, a judicial education course/seminar on the topic of caseflow, workflow or time management, or such similar course/seminar as may be available with the approval of the Commission's Executive Director within six (6) months of the filing date of this Order.

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: December 15, 2022

DATED: December 15, 2022


KATHLEEN DELANEY, Judge
Respondent


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

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NEVADA COMMISSION ON JUDICIAL DISCIPLINE

The Commissioners listed below accept the terms of this Stipulation and Order of Consent to Public Reprimand 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 Public Reprimand.

Signed by



GARY VAUSE, CHAIRMAN

Dated:

December 21, 2022

STEFANIE HUMPHREY, VICE-CHAIR

KARL ARMSTRONG

DON CHRISTENSEN

HON. TOM GREGORY

JOSEPH SANFORD

HON. TOM STOCKARD

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Nevada Commission on Judicial Discipline and that on the 21st day of December, 2022, I served a copy of the CERTIFIED COPY OF STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND by email and U.S. Mail, addressed to the following:

HON. KATHLEEN DELANEY
EIGHTH JUDICIAL DISTRICT COURT
200 LEWIS AVE
LAS VEGAS, NV 89155
DelaneyK@clarkcountycourts.us
Respondent

THOMAS J. DONALDSON
DYER LAWRENCE
2805 MOUNTAIN STREET
CARSON CITY, NV 89703
TDonaldson@dyerlawrence.com
Prosecuting Officer

By: 
Nancy Schreijans, Commission Clerk