

FILED

JUL 18 2024

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 MARY PERRY,  
District Court Judge, Eighth Judicial District  
Court, Clark County, State of Nevada, )

Respondent. )


CASE NO. 89018

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

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 CENSURE filed with the Nevada Commission on Judicial Discipline on July 18, 2024.

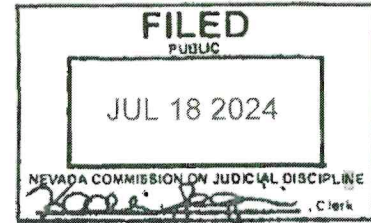
DATED this 18<sup>th</sup> day of July, 2024.

NEVADA COMMISSION  
ON JUDICIAL DISCIPLINE  
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By:   
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**BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

IN THE MATTER OF THE HONORABLE  
MARY PERRY, District Court Judge,  
Eighth Judicial District Court (Family  
Division), Clark County, State of Nevada,

Case Nos.: 2022-062-P and  
2023-039-P

Respondent.

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

In order to resolve the above-referenced judicial conduct complaints pending before the Nevada Commission on Judicial Discipline (the "Commission"), the Respondent, Honorable Mary Perry, District Court Judge, Eighth Judicial District Court, Family Division, Clark County, State of Nevada ("Respondent" or "Judge Perry"), and the Commission stipulate to the following pursuant to Commission Procedural Rule 29:

1. Respondent and the Commission agree that Commission Case Nos. 2022-062-P and 2023-039-P shall be consolidated for purposes of resolution through this Stipulation and Order of Consent to Public Censure ("Stipulation and Order").

2. 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; and Rule 1.2, requiring the Respondent to act at all times in a manner that promotes public confidence in the independence, integrity and impartiality of the judiciary and avoiding impropriety and the appearance of impropriety; Canon 2 of the Code, Rule 2.2, requiring the Respondent to uphold and apply the law, and perform all duties of judicial office fairly and impartially; Rule 2.3, requiring the Respondent to avoid bias; Rule 2.6(A), requiring the

Respondent to accord every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard; Rule 2.8(A), requiring the Respondent to maintain order and decorum in proceedings before the court; Rule 2.8(B), requiring the Respondent to be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the Respondent deals in an official capacity; and Rule 2.10, requiring the Respondent to refrain from making any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing; and Canon 3 of the Code, Rule 3.5, requiring the Respondent to refrain from intentionally disclosing or using nonpublic information acquired in a judicial capacity, or either of these rules, in her capacity as a District Court Judge in and for the Eighth Judicial District Court (Family Division), 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:

**Case No. 2022-062-P**

A. In this matter, the Respondent presided over a divorce proceeding in Family Court. During an Order to Show Cause hearing on December 22, 2021, after the parties settled the matter, the Respondent placed on the record how she would have ruled against the Complainant in this matter (i.e., one of the litigants ("Litigant One")) had the matter proceeded to trial.

B. Respondent made these statements to ensure that when the bankruptcy court subsequently examined the property-related issues in Litigant One's divorce, that court would have an appropriate factual record before it, "in case there is a question regarding the property..." Respondent felt compelled to state her opinions out of concern that Litigant One might attempt to "perpetrate a fraud" on a subsequent bankruptcy court as to property-related issues, and characterized her obligation to do so as a "duty" to prevent a fraud from being perpetrated on her, or any other, court. Despite Respondent's strong convictions on this issue, Respondent did not (and in subsequent discussions, could not) articulate any legal basis for



1 taking the actions she did.

2 C. Respondent's statements placed on the record during that hearing were, in  
3 fact, confidential as they were made as to Litigant One arising from a prior divorce proceeding  
4 which had already settled and concluded. Respondent's actions led Litigant One to believe that  
5 they were the result of a bias by Respondent against him.

6 D. During a March 30, 2022 hearing in the same matter, the Respondent  
7 spoke in a hostile tone toward Litigant One. A review of the audiovisual recording of these  
8 events ("JAVS Recording") reflects that the Respondent appeared visibly agitated and angry at  
9 Litigant One during that proceeding. Respondent conceded that she "...probably was not  
10 necessarily courteous..." to Litigant One. During this same hearing, the Respondent deprived  
11 Litigant One of her right to be heard during that hearing, refused requests to allow testimony or  
12 argument on her motion and awarded attorney fees against Litigant One.

13 **Case No. 2023-039-P**

14 E. In this matter, the Respondent presided over a divorce and child custody  
15 proceeding, during which two (2) pertinent hearings were held on February 9, 2022 and August  
16 11, 2022, respectively. What both of these hearings have in common is the Respondent's  
17 needlessly disrespectful tone of voice, obvious changes in her mood, the use of profanity,  
18 personally demeaning comments about the litigants, and generally, her overall demeanor and  
19 lack of professional decorum toward all litigants appearing at those hearings.

20 F. In this matter, the Complainant ("Litigant Two") also alleged that the  
21 Respondent deprived him and his counsel of the right to be heard, by not permitting oral  
22 argument as to the Respondent's decision to set aside Litigant Two's decree of divorce, which  
23 was granted by the Senior Judge that had handled the trial of the action.

24 G. The February 9, 2022 hearing was held via the "Blue Jeans" video  
25 conferencing service. Litigant Two and his counsel were both present via the "Blue Jeans"  
26 system.

27 H. A complete review of the JAVS Recording of the Respondent's February  
28 9, 2022 calendar, Litigant Two reflects that the following statements from Respondent to

1 Litigant Two are present:

2 10:56:37 "Sir! Don't argue with me! I don't know what it is. Do we have a  
3 full moon because I can't seem to get people to stop arguing with me today!" When, during the  
4 Commission's subsequent investigation, the Respondent was asked if she would describe her  
5 demeanor, as depicted in the clip, as being patient, dignified, and courteous? The Respondent  
6 admitted that her conduct was improper and answered, "No".

7 10:58:30 "Sir! No! He doesn't get to pick and choose! We're going to set  
8 aside the decree of divorce. We're going to redo this evidentiary hearing."

9 11:03:00 "Oh God, what is up with these people." ... "Sir! You haven't  
10 respected this court for a year! So, I don't want to hear you talking about disrespect!" When,  
11 during the Commission's subsequent investigation, the Respondent was asked if she had lost her  
12 patience during that interaction, the Respondent admitted that her conduct was improper and  
13 stated, "That is possible, yes." Respondent also admitted to raising her voice, though she added  
14 "but not significantly...."

15 I. The August 11, 2022 hearing was also held via the "Blue Jeans" video  
16 conferencing service. Litigant Two and his counsel were both present via the "Blue Jeans"  
17 system.

18 J. A complete review of the JAVS Recording of the Respondent's August  
19 11, 2022 calendar reflects that the following statements from Respondent to Litigant Two are  
20 present:

21 2:28:30 - 2:31:35 In this video clip, Litigant Two made a comment about not  
22 seeing an order related to paying the mortgage. Respondent then shouted, "BS! BS! Because I've  
23 got the order right here in this computer." Respondent also slammed her hands on the bench and  
24 yelled, "We're not here to argue!" Respondent continued shouting "Stop it!" Respondent also  
25 made a comment, "This is not your home! This is my home! You will respect what I am  
26 saying...You are not the boss here, do you understand." When during the Commission's  
27 subsequent investigation, the Respondent was asked if she was in control of her temper and  
28 emotions, the Respondent admitted that her conduct was improper and stated, "Probably not as

1 well as I could have been.”

2 3:59:25 During a back-and-forth conversation concerning Litigant Two’s  
3 son, the Respondent stated, “...you don’t deserve to have primary! ... Don’t lie to me! BS! BS!

4 3:02:15 During continued discussion about the children, the Respondent  
5 stated, “This is high conflict. Your children deserve a hell of a lot better than both of you. I’m  
6 going to take her home with me! And neither one of you will see her. She deserves better than  
7 what she’s getting...”

8 3:06:25 During a conversation about the mental and physical health of the  
9 litigants, Respondent asked the Complainant, “Are you psycho? That’s a yes or no?”

10 3:08:10 During a discussion concerning the son of Litigant Two and the  
11 other litigant in the matter, the Respondent stated, “I’m surprised he’s spending any time with  
12 either one of you because neither one of you are worth it at this point.”

13 3:14:30 During the hearing, the other litigant in the matter mentioned she  
14 had a bachelor’s degree in fine arts. The Respondent responded, “Why would you do that...you  
15 can’t support your family with fine arts?” When during the Commission’s subsequent  
16 investigation, the Respondent was asked if her comment could be considered as personally  
17 insulting, the Respondent admitted that her conduct was improper and stated, “Could have been,  
18 yes.”

19 3:32:50 Respondent commented, “My computer is slow right now. It’s mad  
20 at me. It doesn’t like my fingers. I think it wants a man’s fingers. This must be a female or  
21 something. Because it fights me constantly.”

22 3:58:15 While discussing custody of Litigant Two’s daughter, Respondent  
23 stated, “I’m not giving you custody! No! Your ass needs to be out there working too.” When  
24 during the Commission’s subsequent investigation, the Respondent was asked if this comment  
25 was dignified, the Respondent admitted that her conduct was improper and responded “No.”

26 3. Respondent admits to all the allegations brought against her in paragraphs 2(A)  
27 through (J) as set forth above and agrees the evidence available to the Commission would  
28 establish by clear and convincing proof that she violated the Code, including Canon 1, Rules 1.1



1 and 1.2; Canon 2, Rules 2.2, 2.3, 2.6(A), 2.8(A) and (B), and 2.10; and Canon 3, Rule 3.5.

2 4. Respondent agrees to waive her right to present her case and contest the  
3 allegations in the information set forth above in a formal hearing pursuant to Commission  
4 Procedural Rule 18. Respondent also agrees that this Stipulation and Order takes effect  
5 immediately, pursuant to Commission Procedural Rule 29. The Commission accepts  
6 Respondent's waiver of said right and acknowledges and agrees to the immediate effect of this  
7 Stipulation and Order.

8 5. Respondent and the Commission hereby stipulate to Respondent's consent to  
9 public censure and other forms of discipline imposed in this Stipulation and Order pursuant to  
10 Rule 29 and to the following substantive provisions:

11 A. Respondent shall receive a thirty (30)-day suspension from office without  
12 pay. Imposition of said discipline is suspended for a period of one (1) year commencing with the  
13 filing of this Stipulation and Order, while Respondent is placed on probation under the following  
14 terms and conditions:

15 (i) Respondent shall have no further violations of the Revised Nevada  
16 Code of Judicial Conduct while on probation. Violations shall be determined by a finding of the  
17 Commission following an evidentiary hearing or stipulation thereto; and

18 (ii) Respondent shall comply with all the terms and conditions of this  
19 Stipulation and Order.

20 B. Respondent agrees to complete, at Respondent's own expense, a  
21 personalized judicial education course/remedial training with the National Judicial College on  
22 the topic of judicial ethics and judging within six (6) months of the filing date of this Stipulation  
23 and Order. This course/remedial training will be provided by the National Judicial College and  
24 specifically customized and tailored to Respondent's misconduct, focusing primarily on: (1)  
25 identifying and distinguishing between proper and improper court-related demeanor and  
26 behavior; (2) identifying and rectifying areas of bias and prejudice in the courtroom in order to  
27 maintain the integrity of the court for all participants; (3) performing judicial duties fairly and  
28 impartially; (4) according to every person who has a legal interest in a proceeding, or that

1 person's lawyer, the right to be heard; (5) competence and preparedness in the performance of  
2 judicial duties; and (6) the importance of upholding and complying with the law and the Code.  
3 Respondent further agrees that the instructional topics and course delivery format (in-person or  
4 online) shall be approved in advance by the Commission's Executive Director.

5 6. Respondent and the Commission hereby further stipulate that, through its  
6 investigation of the allegations raised within Commission Case Nos. 2022-062 and 2023-039,  
7 the Respondent presented evidence to indicate that her impatience and/or disrespectful  
8 statements toward the litigants before her, could have been, in part, the result of (or influenced  
9 by) her ingestion of certain medications for health conditions she is facing at the present time. It  
10 is agreed that this evidence shall constitute a mitigating factor for purposes of imposition of  
11 discipline in this matter and, along with Respondent's actions described above, merit the specific  
12 discipline stipulated to herein.

13 7. Respondent and the Commission hereby further stipulate that this Stipulation and  
14 Order does not include, resolve or administer discipline for any actions by the Respondent, the  
15 facts of which are not referenced herein, but which may be pending before the Commission in  
16 some investigative stage at this time, except for Case No. 2023-240, as discussed below.

17 8. In consideration of Respondent entering into this Stipulation and Order,  
18 Respondent and the Commission further stipulate that the Commission will not pursue separate  
19 public charges, or take any other action, against Respondent in Case No. 2023-240, which is  
20 currently pending before the Commission and involves allegations against Respondent for (i)  
21 inappropriate judicial demeanor, (ii) being unprepared for a hearing and making incorrect  
22 statements of fact, (iii) making comments evincing bias; and (iv) pre-judging an issue and  
23 attempting to make findings of bad faith without any evidence.

24 9. Respondent agrees and acknowledges that her behavior and actions in the cases  
25 referenced in this Stipulation and Order, as well as in other previous complaints filed against  
26 Respondent of which Respondent has been notified and made aware by the Commission  
27 (involving similar violations of the Code as set forth in this Stipulation and Order), evidence a  
28 concerning and ongoing pattern of judicial misconduct for which corrective action must be taken



1 on Respondent's part.

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

5 11. Respondent further agrees to waive (and the Commission agrees to accept  
6 Respondent's waiver of) all of her rights pursuant to NRS 1.4673 and NRS 1.4677, including but  
7 not limited to:

8 a. The right to proceed to hearing on the allegations against her (NRS  
9 1.4673(1)).

10 b. The right to have any of the allegations against her proven by clear and  
11 convincing evidence, with the burden of proof on special counsel (NRS 1.4673(2)(a)-(b)).

12 c. The right to receive written findings of fact and conclusions of law,  
13 following a hearing, within sixty (60) days of said hearing (NRS 1.4673(3)).

14 d. The right to a determination as to whether discipline is appropriate in these  
15 matters and what form that discipline should take (NRS 1.4677).

16  
17 12. Respondent agrees the discipline of public censure and other forms of discipline  
18 imposed in this Stipulation and Order are justified and authorized by Article 6, Section 21(1) of  
19 the Nevada Constitution; NRS 1.4653; NRS 1.4677(1)(a), (c), (d)(1), (2), (5), and (f); NRS  
20 1.4694; and Commission Procedural Rule 29.

21 13. Respondent stipulates to a public censure for violations of the Judicial Canons and  
22 Rules as set forth above in paragraphs 2 (A) through (J).

23 14. 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  
25 Rules of Appellate Procedure. Respondent also waives all other forms of extraordinary relief for  
26 purposes of challenging this Stipulation and Order.

27 ///

28 ///

**ORDER**

IT IS HEREBY ORDERED that Respondent is hereby PUBLICLY CENSURED for violating the Code, including Canon 1, Rules 1.1 and 1.2; Canon 2, Rules 2.2, 2.3, 2.6(A), 2.8(A) and (B), and 2.10; and Canon 3, Rule 3.5.

IT IS FURTHER ORDERED that Respondent be suspended from office without pay for thirty (30) days. Imposition of said discipline is suspended for a period of one (1) year commencing with the filing of this Stipulation and Order, while Respondent is placed on probation under the following terms and conditions: (i) Respondent shall have no further violations of the Revised Nevada Code of Judicial Conduct while on probation. Violations shall be determined by a finding of the Commission following an evidentiary hearing or stipulation thereto; and (ii) Respondent shall comply with all the terms and conditions of this Stipulation and Order. Accordingly, the Commission shall retain jurisdiction over this matter for the required period of time for Respondent to fully comply with this Stipulation and Order.

IT IS FURTHER ORDERED that Respondent complete, at her own expense, a personalized judicial education course/remedial training with the National Judicial College on the topic of judicial ethics and judging within six (6) months of the filing date of this Stipulation and Order. This course/remedial training will be provided by the National Judicial College and specifically customized and tailored to Respondent's misconduct, focusing primarily on: (1) identifying and distinguishing between proper and improper court-related demeanor and behavior; (2) identifying and rectifying areas of bias and prejudice in the courtroom in order to maintain the integrity of the court for all participants; (3) performing judicial duties fairly and impartially; (4) according to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard; (5) competence and preparedness in the performance of judicial duties; and (6) the importance of upholding and complying with the law and the Code. Respondent further agrees that the instructional topics and course delivery format (in-person or online) shall be approved in advance by the Commission's Executive Director.

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1 IT IS FURTHER ORDERED that the Executive Director of the Commission take the  
2 necessary steps to file this document in the appropriate records and on the website of the  
3 Commission and with the Clerk of the Nevada Supreme Court.  
4

5 DATED: July 17, 2024

DATED: July 24, 2024

FENNEMORE CRAIG, P.C.

7  
8   
9 MARY PERRY,  
Respondent

10  
11   
12 RICHARD I. DREITZER, ESQ., #006626  
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1                                   **NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

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

6                   **Signed by:**

**Dated:**

7                     
8                   \_\_\_\_\_

July 18, 2024

9                   GARY VAUSE, CHAIRMAN

10                  STEFANIE HUMPHREY, VICE-CHAIR

11                  KARL ARMSTRONG

12                  PATRICIA HALSTEAD

13                  HON. DAVID HARDY

14                  JOHN KRMPOTIC

15                  HON. THOMAS STOCKARD

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Nevada Commission on Judicial Discipline and that on the 18th day of July, 2024, I served a copy of the CERTIFIED COPY OF STIPULATION AND ORDER OF CONSENT TO PUBLIC CENSURE by email and U.S. Mail, addressed to the following:

KENNETH S. FRIEDMAN  
LAW OFFICES OF KENNETH S. FRIEDMAN, PLLC  
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Special Counsel

By:   
Kadie Seghieri, Commission Clerk