



Minutes

Advisory Committee Meeting

Standing Committee on Appellate Disposition Classification

December 3, 2025

2:00 p.m.

Zoom

1. Call to Order

The meeting was called to order by Alex Falconi at 2:10 p.m.

2. Roll Call

Present:

Alex Falconi, Founding Director
The Hon. Tammy Riggs, Member
The Hon. Kriston Hill, Member
Emily McFarling, Director

Absent:

The Hon. Joe Hardy, Chair
The Hon. Bitia Yeager, Member
The Hon. Anna Albertson, Member

Discussion:

Alex Falconi mentioned Bitia Yeager was unaware of the meeting because the Eighth Judicial District Court's firewall treated the email invite as spam, she verified this with IT that ensured the problem was resolved. Mr. Falconi also mentioned Joe Hardy and Anna Albertson were in hearings, which was expected as scheduling only involved a fragment of the committee members, which was reorganized in accordance with [Directive 2025-2012](#). All members expressed enthusiasm at coordinating the next meeting.

3. Approval of Minutes from Previous Meeting

This is the first committee meeting.

4. Discussion

The Committee's instructions included questions. Addendum 1. Questions 1, 2, 3, and 4 were deferred for discussion at the next meeting. The members requested additional information and to revisit Question 5 at the next meeting.

Question 6

Discussion: The Committee agreed that bifurcating criminal and civil error rates reflected a difference in appellate patterns, but suggested nevertheless displaying combined error rates alongside bifurcated error rates as the simplification was likely to be appreciated by viewers and readers. The Committee declined to advise further separate out family law dispositions. Alex Falconi will submit the recommendation to the Board. This question has been resolved.

Question 7

Discussion: The Committee understood that altering error rates such that dissenting appellate dispositions weighed less, reflecting disagreement by an appellate panel, but recommended rejecting



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the proposed change as unnecessarily complicating the statistics and inconsistent with the purpose of reporting error. This question has been resolved.

Question 1

The Committee was aware that error rate percentages are not reflected for judges with less than 15 appellate dispositions on the website. The Committee suggested omitting the percentages in publications on error rates consistent with this policy. The Committee further clarified that judges with zero error but 15 appellate dispositions should not be omitted from reporting. Alex Falconi will submit the recommendation to the Board once the Question is discussed further and ultimately resolved.

The Committee suggested revisiting existing policy on split and compound dispositions. [UIOP&P 103\(e\) and \(f\)](#). Alex Falconi added Question 8 for consideration at the next meeting. The Committee inquired as to the corporation's partnership with the Las Vegas Review Journal on publication of error rates alongside the UNLV judicial survey; Mr. Falconi confirmed that publication electronically and in print would occur.

Action Items

Alex Falconi will provide the appellate dispositions reviewed under Questions 2, 3, and 4, to the Committee. Mr. Falconi will add Question 8 to the instructions for review at the next meeting.

5. Adjournment

Motion to adjourn was made by Alex Falconi.

The meeting was adjourned at 2:32 p.m.

6. Next Meeting

The next meeting is to be scheduled for the month of January, 2026.

December 19, 2025

Alex Falconi
Founding Director

ADDENDUM 1

ADDENDUM 1



The Advisory Committee on Appellate Disposition Classification

January 26, 2025

A vote was advanced to January 17, 2025. The committee was instituted by [Directive 2025-0004](#). The committee is recognized as having very busy members and is encouraged to participate as efficiently as possible.

This committee is tasked with:

- 1) Answering questions that broadly assist with policy decisions on how the corporation classifies appellate dispositions. These changes are important because they trigger retroactive, categorical reclassification of existing cases which could affect all judicial profiles on the website.
- 2) Answering questions that assist with classification of a specific appellate disposition.
- 3) Answering questions that assist with published reports that involve appellate dispositions, especially those including statistical analysis.

The advice the committee renders is not binding, rendering the reasoning more valuable than any conclusion. A conclusion is persuasive, but the reasoning will ultimately control a policy or classification decision.

The committee is asked to answer questions 1 through 7.

Committee Assignments

1. **Chairperson**, The Honorable Joe Hardy

The committee can elect another chairperson by majority vote.

2. **Action**

The committee's advice is considered by the Board in making policy decisions. When acting as a body, the committee can express the weight of its opinion by vote despite the vote having no binding effect on the Board's policy decisions. Members may also choose to express their opinions and advise individually.

3. **Meetings**

At the discretion of the chairperson, the committee can meet in person, by Zoom, in hybrid format, telephonically, or even by email. It is also within the chairperson's discretion to direct advice be dispensed individually and without any meeting occurring. The committee should not hesitate to request participation from the



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Board if and when deemed necessary and appropriate. The committee may keep its own minutes or request the Secretary appear and do so.

Question 1: Publication of Report Zero

Proposed for publication are numerous statistics, including statistics on appellate dispositions. Addendum 1. The Supreme Court has responded to inquiry on statistic #1 by consulting with its public relations firm, which is in contact with the corporation and is preparing to comment. The report also includes analysis on error rates. The committee is asked to review all proposed statistics, inquire and express any concerns on anomalies, propose additional analysis or suggest alternative approaches, as needed.

Question 2: New Disposition Type, Affirmed and Vacated

In Supreme Court docket no. 87468, District Court Judge Tammy Riggs's decision was affirmed, vacated, and remanded. The questions posed are 1) does the vacatur and remand suggest error; 2) more specifically, was the appellant vindicated such that he gleaned real benefit. It appears responses to this question could result in a new disposition type, the new category of which could pull dispositions from other judicial profiles and trigger retroactive modification of error rates. The members should take note in their responses as their reasoning would assist with how this broad category is defined.

Question 3:

In Supreme Court docket no. 88462, District Court Judge Kathleen Sigurdson's decision was affirmed with limited remand. It appears the appellant was vindicated such that he garnered a real benefit that he would not have garnered had the appeal not occurred. The question posed is: 1) would the appellant have suffered additional incarceration had this disposition not occurred; and, 2) if not, is there any other actual benefit the appellant garnered from the disposition?

Question 4: Vacatur Unrelated to Disposition

In Supreme Court case no. 86673, District Court Judge Dawn Throne's decision was affirmed with an order not subject to appeal apparently having been vacated. It appears vacatur occurred because jurisdiction was divested on appeal. The questions posed are: 1) is an order rendered while jurisdiction is divested void or



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voidable; and, 2) should existing policy be clarified to provide that an order vacated under these circumstances does not count as error because it was not an issue directly on appeal?

Question 5: Disposition from Short-Trial Judgment or Verdict

It has been suggested that appeals from short trials should be applied to the short-trial judge and not the District Court Judge presiding over the department. Existing policy imputes the error of a hearing master or discovery commissioner to the District Court Judge because the former only issue recommendations for orders and the legal process provides that a District Court Judge always review and approve the recommendation. [UIOP&P 103\(i\)](#). If no similar review occurs when the verdict or judgment of a short-trial judge, policy should be altered to account for this distinction. The question posed is: under what circumstances, if any, is a short-trial judge's ruling subjected to the review of the presiding District Court Judge.

Question 6: Distinguishing Criminal and Civil Appellate Dispositions

It is apparent that criminal appeals slant heavily in favor of affirmance, with civil appeals the opposite. It has been suggested that judges assigned to civil dockets are unfairly compared to their colleagues with criminal assignments. It is proposed that error rates are bifurcated accordingly. The committee is asked to discuss and render advice accordingly.

Question 7: Weighing Appellate Disposition by Vote

It has been suggested that appellate dispositions should be weighted by vote. In other words, appellate dispositions with a dissent would impact a judge's error rate less significantly than a unanimous disposition. A policy change in accordance with this suggestion would retroactively affect every judicial profile. The committee is asked to discuss and render advice accordingly. It should be noted that this change will amplify the weight of *en banc* dispositions.

A handwritten signature in blue ink that reads 'Alexander Falconi'.

Alexander M. Falconi
Our Nevada Judges, Inc.
Founding Director