

The court shall in all cases require the petitioner to establish the facts by clear and convincing evidence and shall give full and careful consideration to all of the evidence presented, with regard to the rights and claims of the parent of the child and to any and all ties of blood or affection, but with a dominant purpose of serving the best interests of the child.

3. Information contained in a report filed pursuant to NRS 432.097 to 432.130, inclusive, or chapter 432B of NRS may not be excluded from the proceeding by the invoking of any privilege.

4. In the event of postponement, all persons served, who are not present or represented in court at the time of the postponement, must be notified thereof in the manner provided by the Nevada Rules of Civil Procedure.

5. Any hearing held pursuant to this section must be held in closed court without admittance of any person other than those necessary to the action or proceeding, unless the court determines that holding such a hearing in open court will not be detrimental to the child.

6. Except as otherwise provided in subsection 7, any hearing held pursuant to NRS 128.005 to 128.150, inclusive, is confidential and must be held in closed court without the admittance of any person other than the petitioner, attorneys, any witnesses, the director of an agency which provides child welfare services or an authorized representative of such person and any other person entitled to notice, except by order of the court.

7. The files and records of the court in a proceeding to terminate parental rights pursuant to NRS 128.005 to 128.150, inclusive, are not open to inspection by any person except:

- (a) The person petitioning for the termination of parental rights and a person who intends to file a response to such a petition; or
- (b) Upon an order of the court expressly so permitting pursuant to a petition setting forth the reasons therefor.

Pursuant to NRS 128.090 sections 5 and 6, the Court is mandated to hold hearings in TPR cases in closed court.

Relative to section 5, the court must find that holding an open hearing will not be detrimental to the child(ren).

Senior Judge Moss was one of the presiding judges in the McDonald divorce case and is familiar with the underlying background and history of the proceedings in that case.

Upon consideration of the history of the divorce case, which is highly related to the instant TPR case, the Court finds that holding an open hearing would potentially be detrimental to the children in this case.

While the Court is aware that most family court proceedings are public in nature, the McDonald TPR case is closed pursuant to statute, specifically NRS 128.090.

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

The Court also recognizes that Our Nevada Judges produces court videos to educate the public about the court system, how judges work in their courtroom,s and their interaction with attorneys and litigants.

Our Nevada Judges videos also have the ability to protect the identities of the parties and the children through video editing and redaction.

However, in the matter of the McDonald case, Nevada statutory law mandates the Court to hold hearings in closed court.

Therefore, IT IS ORDERED that the Media Request filed on March 6, 2023 is VACATED, and the hearing on March 7, 2023 shall be held in closed court in accordance with Nevada law.

SO ORDERED. A copy of this Court Minute Order will be served through the Court's electronic filing system.

Clerk's note: the minutes above were emailed to the Parties by Courtroom Clerk:Sandra Martines (sm) 3.6.2023

INTERIM CONDITIONS:

FUTURE HEARINGS:

March 07, 2023 9:00 AM Hearing for Termination of Parental Rights
Courtroom 03
Vacant, Dept. C
Hutcherson, Nicole

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