IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

AUG 23 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY
CHIEF DEPUTY CLERK

In the Matter of the

HONORABLE SYLVIA BELLER,
Hearing Master, Eighth Judicial
District Court, Family Division, County of Clark,
State of Nevada,

Respondent.

Case No. 71098

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 19, 2016.

DATED this 23rd day of August, 2016.

NEVADA COMMISSION ON
JUDICIAL DISCIPLINE
P. O. Box 48
Carson City, NV 89702
(775) 687-4017

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

RECEIVED
AUG 23 2016
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

Kathleen M. Paustian, Esq., SBN 3785
Law Office of Kathleen M. Paustian
3205 Skipworth Drive
Las Vegas, NV 89107
Telephone: (702) 321-2222
Facsimile: (702) 369-5727
kathleenpaustian@cox.net
Prosecuting Officer for the Nevada
Commission on Judicial Discipline

FILED
NON-PUBLIC
AUG 19 2016
NEVADA COMMISSION ON JUDICIAL DISCIPLINE
Clerk

BEFORE THE COMMISSION ON JUDICIAL DISCIPLINE

STATE OF NEVADA

IN THE MATTER OF THE HONORABLE SYLVIA BELLER, Hearing Master, Eighth Judicial District Court, Family Division, State of Nevada, Respondent	CASE NO.: 2015-057

STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND

In order to resolve the pending May 8, 2015 Verified Statement of Complaint by Eighth District Court Judge Charles Hoskin and the March 25, 2016 Request for Investigation by the Nevada Commission on Judicial Discipline (the "Commission'), the Respondent stipulates to the following pursuant to Commission Procedural Rule 29:

1. Respondent admits she violated the Revised Nevada Code of Judicial Conduct ("Code"), specifically Canon 2, Rule 2.8 (B) requiring her to maintain decorum in the courtroom, acting with a fair and impartial demeanor to lawyers practicing before her, by doing a singular act, a combination of acts, or all of the following acts:

   A. On or about April, 23, 2015, Respondent modified a judicial order, allegedly to protect herself from a potential ethics complaint from a Clark County Deputy District Attorney ("Deputy") appearing before her. However, Respondent states she changed the order based on the evidence presented to her throughout the protracted hearing. During this appearance, the

Respondent engaged in unprofessional behavior in the course of refusing to issue a bench warrant for an errant parent. The Respondent stated on the record that if the Deputy appealed her, it would make him look like an "idiot" and a "baby" and that such an appeal would be "pathetic", "dumb", "silly" and a waste of court resources. She also made negative comments regarding the D.A. office's alleged policy of "objection quotas". After making these and other negative comments toward the Deputy and his office, she told him: "file an ethics complaint against me... ." The Respondent then concluded the Deputy's appearance by telling a story about the television show "Survivor" in which a deal was made between the survivors and which one of the contestants ultimately reneged on. She then reversed her earlier ruling and issued the bench warrant for the Deputy.

2. By letter dated May 8, 2015, from David Barker, Chief Judge, Eighth Judicial District Court, Respondent was informed her employment as a Court Hearing Master was terminated as an "at will" employee.
3. In a letter to Chief District Judge David B. Barker dated May 12, 2015; Respondent resigned her position as Hearing Master effective May 8, 2015.
4. Respondent agrees to waive her right to present her case before the Commission, contesting the allegations in the information set forth above, in a formal hearing pursuant to Commission Procedural Rule 18. Respondent also agrees that this Order takes effect immediately pursuant to Procedural Rule 29. The Commission accepts Respondent's waiver of said right and acknowledges and agrees to the immediate effect of this Order. Respondent further agrees to appear before the Commission in a public proceeding to discuss this Stipulation and Order in more detail and answer any questions from the Commissioners related to this document.

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

6. Respondent and the Commission hereby stipulate to Respondent's consent to public reprimand pursuant to Commission Procedural Rule 29. Respondent stipulates to the following substantive provisions:

   A. She stipulates to a public reprimand by the Commission for violations of the Judicial Canon and Rule as set forth above in paragraph (1) (A).

   B. She agrees the discipline of public reprimand is authorized by Article 6, Section 21 (1) of the Nevada Constitution and Rule 29 of the Procedural Rules of the Commission.

   C. She agrees the evidence available to the Commission would establish by clear and convincing proof that she violated Canon 2, Rule 2.8 (B).

7. The Respondent understands and agrees that by accepting the terms of this Stipulation, she waives her right to appeal to the Nevada Supreme Court pursuant to Rule 3D of the Nevada Rules of Appellate Procedure.

ORDER

IT IS HEREBY ORDERED that Respondent be and hereby is publicly reprimanded for violating Canon 2, Rule 2.8 (B).

IT IS FURTHER HEREBY ORDERED that the Commission Executive Director 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.

Sylvia Beller, Esq.
Respondent

Dated this 15 day of August, 2016

Timothy S. Cory, Esq.
Attorney for Respondent

Dated this 16 day of August, 2016

NEVADA COMMISSION ON
JUDICIAL DISCIPLINE
P.O. Box 48,
Carson City, Nevada 89702

By: Kathleen M. Paustian
Kathleen M. Paustian, Esq.
Prosecuting Officer

Dated this 16 day of August, 2016

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 of the Respondent.

NEVADA COMMISSION ON JUDICIAL DISCIPLINE:

Signed by: Gary Vause

GARY VAUSE, CHAIRMAN

Dated: 08/19/2016

Gary Vause

Mary Lau

Hon. Leon Aberasturi

Karl Armstrong

Bruce C. Hahn

Stefanie Humphrey

Hon. Jerome Polaha

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of August, 2016, I served a copy of the CERTIFIED COPY OF STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND, filed with the Nevada Supreme Court, by United States Mail, postage pre-paid, addressed to the undersigned:

Timothy S. Cory, Esq.
Timothy S. Cory and Associates
8831 West Sahara Avenue
Las Vegas, NV 89117
Tim.cory@corylaw.us
Counsel for Respondent

Kathleen M. Paustian, Esq.
Law Offices of Kathleen M. Paustian, Chartered
3205 Skipworth Drive
Las Vegas, NV 89107
kathleenpaustian@cox.net
Special Counsel

JANET E. JACOBSEN
Commission Clerk