



NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

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Reno, Nevada

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May 1, 2008

Honorable William Raggio
Nevada State Senate
Jones Vargas Law Firm
100 West Liberty Street, 12th Floor
Reno, Nevada 89501

Dear Senator Raggio:

Thank you for this opportunity to clarify the record and to put into context the misleading news reports of the past two days about the National Council of Juvenile and Family Court Judges (NCJFCJ or the Council). As I'm sure you can appreciate, these developments have caused a great deal of distress and concern among the membership and leaders of our organization, which remains dedicated to improving our nation's juvenile and family court system.

In 2005, an employee of the National Council of Juvenile and Family Court Judges was terminated. The employee filed suit against NCJFCJ; the course of action which she took was to file a qui tam complaint, alleging wrongful termination and a number of additional allegedly fraudulent activities related to NCJFCJ's handling of federal grant funds. The complaint was filed as a civil matter in June of 2005, and consistent with federal law, was under seal until April 2008 when the case was resolved through settlement. The Council does not believe that the allegations asserted by the former employee were substantiated.

In response to the qui tam complaint filed by the former employee, the U.S. Justice Department conducted an investigation into the numerous charges that were levied. NCJFCJ fully cooperated throughout the government's investigation. Changes were made in NCJFCJ's record keeping and administrative policies and procedures as a result of Ms. Mentaberry's focus on improving NCJFCJ's administrative procedures, a commitment by NCJFCJ's thirty judge-member Board of Trustees to improve practice within the organization, and as a result of this inquiry.

By way of further background, as a recipient of federal funding, NCJFCJ is required to submit financial and program reports regularly to the U.S. Department of Justice (DOJ). Internal accounting procedures monitor the expenditure of funds. Additionally, NCJFCJ has undergone an audit conducted annually by Kafoury, Armstrong and Company for over thirty years. In the ten-year period from 1997-2007, there had been only one issue raised, which was immediately addressed by the NCJFCJ and closed by the Department of Justice in August of 2007.



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During the government's investigation, questions also arose regarding NCJFCJ's hiring of the current Executive Director's husband over the period 1997 until 2001 and whether that relationship should have been disclosed to DOJ. Michael Mentaberry was hired by prior NCJFCJ Executive Directors, not Ms. Mentaberry, to provide real estate services to the organization for office space in downtown Reno. Ms. Mentaberry was not Executive Director during the period of time during which her husband provided services to NCJFCJ, and, in fact, was not appointed to that role until the fall of 2004.

It is also important to note that Mr. Mentaberry was not paid by the NCJFCJ. Mr. Mentaberry was directly paid by the lessor (building owner) in each case for his work as is standard practice in the industry. An experienced professional, Mr. Mentaberry provided services and was compensated at standard industry rates. His work with the NCJFCJ was known within and outside of the organization, and his work with NCJFCJ was never questioned by senior staff, leadership, or NCJFCJ's auditors.

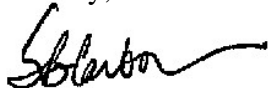
NCJFCJ and the U.S. Department of Justice agreed that to avoid protracted litigation, the matter would be settled for \$300,000. In addition, in order to ensure DOJ that allegations regarding even the appearance of a conflict of interest are taken seriously, Ms. Mentaberry agreed to a separate nominal settlement which is subject to the Privacy Act. There were no findings of fraud, intentional mishandling of funds, or conflict of interest and neither the NCJFCJ nor Ms. Mentaberry admitted to any wrongdoing. The parties made a business decision in determining to settle these issues. It was, and continues to be, the NCJFCJ's goal to comply with every requirement of the Department of Justice. It was decided that focusing on improvements to the Council's administrative procedures and continuing the organization's quality work to assist judges throughout the country must be our primary goal. We determined that it was in the best interests of the Council and its long relationship with the DOJ to settle these issues and resolve the DOJ's concerns. The DOJ indicated at the end of the process that they had no interest in pursuing this case further.

There is one action remaining. In this action, the former employee continues to pursue her individual wrongful termination case. The Council stands behind its decision to separate this employee and we will deal with this as any employer would deal with a human resources situation.

Thank you again for allowing us this opportunity to explain in detail the facts of this unfortunate situation and to provide you with the information you need to understand what has actually occurred. I think it is important to note as well that the Executive Director of the NCJFCJ has the full support and confidence of our organization's leadership.

Please feel free to contact me if you have questions or need more information, and please feel free to distribute this as you deem necessary. I would also welcome the opportunity for a personal meeting, should you wish to meet with me.

Sincerely,



Judge Susan B. Carbon
President, National Council of Juvenile and Family Court Judges

SBC:cd