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FIRST REPRINT

A.B. 69

ASSEMBLY BILL NO. 69—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED DECEMBER 20, 2014

Referred to Committee on Judiciary

SUMMARY—Revises various provisions relating to the Judicial Branch of State Government. (BDR 1-497)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to courts; revising provisions governing the recycling of paper and paper products by courts; revising provisions governing the duties of court clerks and justices of the peace in relation to the fees charged by those officials; revising provisions governing the collection and reporting of certain statistical information by district courts, justice courts and municipal courts; changing the term “county clerk” to “clerk of the court” in certain statutes relating to the fees charged by clerks of the district courts; removing provisions requiring courts to provide to the Court Administrator certain orders relating to bail forfeitures; repealing the requirement that the Nevada Supreme Court decide an appeal from a judgment imposing the death penalty within a certain period; repealing provisions governing the selection of panels of jurors by boards of county commissioners; revising various other provisions relating to court administration; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires courts, the Legislative Counsel Bureau, state agencies,
2 school districts and the Nevada System of Higher Education to recycle paper and
3 paper products unless a waiver is granted because the cost of recycling is
4 unreasonable or would place an undue burden on the entity. (NRS 1.115, 218F.310,
5 232.007, 386.4159, 396.437) To obtain such a waiver: (1) the Nevada Supreme
6 Court must apply to the Interim Finance Committee; (2) a district court or justice



7 court must apply to the board of county commissioners of the county in which the
8 court is located; and (3) a municipal court must apply to the governing body of the
9 city in which it is located. (NRS 1.115) **Section 1** of this bill removes existing
10 provisions regarding a waiver of the requirement for courts to recycle and, instead,
11 requires courts to recycle to the extent reasonably possible.

12 Existing law requires the Clerk of the Supreme Court to post in a conspicuous
13 place in his or her office a table of the fees charged by the Clerk. (NRS 2.250)
14 **Section 2** of this bill requires the table of fees to be posted by conventional or
15 electronic means and requires the table of fees to be posted on the Internet website
16 of the Clerk.

17 Existing law requires district courts, justice courts and municipal courts to
18 submit to the Court Administrator a report of statistical information concerning the
19 workload of those courts. (NRS 3.243, 4.175, 5.045) Existing law further requires
20 the clerk of a district court to obtain and file certain information concerning the
21 nature of each criminal and civil case filed with the court. (NRS 3.275) **Sections 3,**
22 **4, 8 and 10** of this bill amend these provisions to require district courts, justice
23 courts and municipal courts to submit a report of statistical information to the Court
24 Administrator pursuant to the uniform system for collecting and compiling
25 statistical information concerning the State Court System which is prescribed by the
26 Supreme Court.

27 Existing law requires each justice of the peace to charge and collect certain fees
28 and to pay those fees to the county treasurer not later than the first Monday of each
29 month. (NRS 4.063, 4.065, 4.071) **Sections 4.2, 4.4 and 4.6** of this bill require that
30 the fees be paid on or before the fifth day of the month. Under existing law, a
31 justice of the peace is required to pay to the county treasurer the amount of each
32 fine that is paid or bail that is forfeited within 30 days after such payment or
33 forfeiture. (NRS 176.285) **Section 35.5** of this bill requires such payments to be
34 made on or before the fifth day of the month immediately following the month in
35 which the fine is paid or the bail forfeited.

36 Existing law contains various provisions governing the fees charged by justices
37 of the peace and clerks of the district court and imposes certain penalties for the
38 failure to comply with these provisions. (NRS 4.080-4.140, 19.040-19.110)
39 **Sections 5 and 31** of this bill specifically authorize justices of the peace and clerks
40 of the district courts to maintain in electronic format the fee book required by
41 existing law. **Sections 6 and 32** of this bill require justices of the peace and clerks
42 of the district courts to submit to the county official designated by the board of
43 county commissioners a monthly financial statement of the fees collected by them
44 rather than a quarterly financial statement. **Sections 7 and 27** of this bill require
45 justices of the peace and clerks of the district courts to post tables of fees: (1) by
46 conventional or electronic means in their offices; and (2) on their Internet websites.
47 **Section 9** of this bill specifically authorizes a justice of the peace to keep his or her
48 docket in written or electronic format.

49 Existing law authorizes jurors to be selected by a jury commissioner designated
50 by the district court or, in counties where there is no jury commissioner, by the
51 board of county commissioners. (NRS 6.045-6.090) **Sections 11 and 41** of this bill
52 remove provisions relating to the selection of jurors by a board of county
53 commissioners.

54 Under existing law, county clerks are ex officio clerks of the district court in
55 and for their counties. (Nev. Const. Art. 4, § 32; NRS 3.250, 246.060) The Nevada
56 Supreme Court has ruled that “[a] district court may exercise control over the court
57 clerk’s office either directly, by assuming all or part of the court clerk’s functions,
58 or indirectly, by supervising the county clerk in the performance of his or her duties
59 as the *ex officio* court clerk.” (*State ex rel. Harvey v. Second Jud. Dist. Ct.*, 117
60 Nev. 754, 772 (2001)) **Sections 12-33 and 35** of this bill change the term “county
61 clerk” to “clerk of the court” in various statutes relating to the fees charged for the



62 filing of certain documents in the district court and other services provided by the
63 clerk of a district court.

64 Under existing law, a person may register an order for protection against
65 domestic violence issued by a court in another state by presenting a certified copy
66 of the order to the clerk of the court in a judicial district in which the person
67 believes that enforcement may be necessary. (NRS 33.090) **Section 34** of this bill:
68 (1) provides that such an order may be registered in a court of competent
69 jurisdiction in the judicial district in which the person believes that enforcement
70 may be necessary; and (2) authorizes a copy of such an order to be forwarded by
71 conventional or electronic means to the appropriate law enforcement agency.

72 Existing law requires a court, upon entering an order of probation or suspension
73 of sentence, to direct the clerk of the court to certify a copy of the records in the
74 case and deliver a copy of the records in the case to the Chief Parole and Probation
75 Officer. (NRS 176A.220) **Section 36** of this bill removes the requirement that the
76 clerk certify a copy of the records and authorizes the clerk to deliver the records to
77 the Chief in writing, by electronic means or by affording the Chief access to an
78 electronic system necessary to retrieve the records.

79 **Sections 37-40** of this bill remove provisions of existing law which require a
80 court to provide to the Court Administrator a copy of: (1) an order of bail forfeiture;
81 (2) an order exonerating a surety of a bail bond; and (3) an order setting aside a bail
82 forfeiture. (NRS 178.508, 178.509, 178.512, 178.514)

83 **Section 41** removes certain provisions of existing law, including provisions: (1)
84 requiring the Clerk of the Supreme Court to publish a list of certain cases in a
85 newspaper; (2) establishing penalties for justices of the peace and county clerks
86 who fail to perform certain duties; (3) requiring justices of the peace to keep
87 records of certain traffic violations; and (4) requiring the Nevada Supreme Court to
88 decide an appeal from a judgment imposing the death penalty within a certain
89 period.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 1.115 is hereby amended to read as follows:

2 1.115 1. Except as otherwise provided in this section, each
3 court of justice for this State shall recycle or cause to be recycled ,
4 *to the extent reasonably possible*, the paper and paper products it
5 uses. This subsection does not apply to confidential documents if
6 there is an additional cost for recycling those documents.

7 2. ~~[A court of justice may apply for a waiver from the~~
8 ~~requirements of subsection 1. For such a waiver, the Supreme Court~~
9 ~~or the Court of Appeals must apply to the Interim Finance~~
10 ~~Committee, a district court or a justice court must apply to the board~~
11 ~~of county commissioners of the county in which it is located and a~~
12 ~~municipal court must apply to the governing body of the city in~~
13 ~~which it is located. A waiver must be granted if it is determined that~~
14 ~~the cost to recycle or cause to be recycled the paper and paper~~
15 ~~products used by the court is unreasonable and would place an~~
16 ~~undue burden on the operations of the court.~~



1 ~~—3. The Court Administrator shall, after consulting with the~~
2 ~~State Department of Conservation and Natural Resources, prescribe~~
3 ~~the procedure for the disposition of the paper and paper products to~~
4 ~~be recycled. The Court Administrator may prescribe a procedure for~~
5 ~~the recycling of other waste materials produced on the premises of~~
6 ~~the court building.~~

7 ~~—4. Any money received by a court of justice for recycling or~~
8 ~~causing to be recycled the paper and paper products it uses must be~~
9 ~~paid by the clerk of that court to the State Treasurer for credit to the~~
10 ~~State General Fund.~~

11 ~~—5.]~~ As used in this section:

12 (a) "Paper" includes newspaper, high-grade office paper, fine
13 paper, bond paper, offset paper, xerographic paper, mimeo paper,
14 duplicator paper and any other cellulosic material which contains
15 not more than 10 percent by weight or volume of a noncellulosic
16 material, including, but not limited to, a laminate, binder, coating
17 and saturant.

18 (b) "Paper product" means any paper article or commodity,
19 including, but not limited to, paper napkins, towels, cardboard,
20 construction material, paper and any other cellulosic material which
21 contains not more than 10 percent by weight or volume of a
22 noncellulosic material, including, but not limited to, a laminate,
23 binder, coating and saturant.

24 **Sec. 2.** NRS 2.250 is hereby amended to read as follows:

25 2.250 1. The Clerk of the Supreme Court may demand and
26 receive for the services of the Clerk rendered in discharging the
27 duties imposed upon him or her by law the following fees:

28 (a) Except as otherwise provided in paragraph (d), whenever an
29 appeal is taken to the Supreme Court, or whenever a special
30 proceeding by way of mandamus, certiorari, prohibition, quo
31 warrant, habeas corpus, or otherwise is brought in or to the
32 Supreme Court, the appellant and any cross-appellant or the party
33 bringing a special proceeding shall, at or before the appeal, cross-
34 appeal or petition for a special proceeding has been entered on the
35 docket, pay to the Clerk of the Supreme Court the sum of \$200.

36 (b) Except as otherwise provided in paragraph (d), a party to an
37 appeal or special proceeding who petitions the Supreme Court for a
38 rehearing shall, at the time of filing such a petition, pay to the Clerk
39 of the Supreme Court the sum of \$100.

40 (c) Except as otherwise provided in paragraph (d), in addition to
41 the fees required pursuant to paragraphs (a) and (b):

42 (1) Whenever an appeal is taken to the Supreme Court, or
43 whenever a special proceeding by way of mandamus, certiorari,
44 prohibition, quo warrant, habeas corpus, or otherwise is brought in
45 or to the Supreme Court, the appellant and any cross-appellant or



1 the party bringing a special proceeding shall, at or before the appeal,
2 cross-appeal or petition for a special proceeding has been entered on
3 the docket, pay to the Clerk of the Supreme Court a court
4 automation fee of \$50.

5 (2) A party to an appeal or special proceeding who petitions
6 the Supreme Court for a rehearing shall, at the time of filing such a
7 petition, pay to the Clerk of the Supreme Court a court automation
8 fee of \$50.

9 ➔ The Clerk of the Supreme Court shall remit the fees collected
10 pursuant to this paragraph to the State Controller for credit to a
11 special account in the State General Fund. The State Controller shall
12 distribute the money received to the Office of Court Administrator
13 to be used for advanced and improved technological purposes in the
14 Supreme Court. The special account is restricted to the use
15 specified, and the balance in the special account must be carried
16 forward at the end of each fiscal year. As used in this paragraph,
17 "technological purposes" means the acquisition or improvement of
18 technology, including, without limitation, acquiring or improving
19 technology for converting and archiving records, purchasing
20 hardware and software, maintaining the technology, training
21 employees in the operation of the technology and contracting for
22 professional services relating to the technology.

23 (d) No fees may be charged by the Clerk in:

24 (1) Any action brought in or to the Supreme Court wherein
25 the State of Nevada or any county, city or town thereof, or any
26 officer or commission thereof is a party in his, her or its official or
27 representative capacity, against the State of Nevada, county, city,
28 town, officer or commission;

29 (2) A habeas corpus proceeding of a criminal or quasi-
30 criminal nature; or

31 (3) An appeal taken from, or a special proceeding arising out
32 of, a criminal proceeding.

33 (e) A fee of \$60 for Supreme Court decisions in pamphlet form
34 for each year, or a fee of \$30 for less than a 6 months' supply of
35 decisions, to be collected from each person who requests such
36 decisions, except those persons and agencies set forth in NRS 2.345.
37 The Clerk may charge a reasonable fee to all parties, including,
38 without limitation, the persons and agencies set forth in NRS 2.345,
39 for access to decisions of the Supreme Court compiled in an
40 electronic format.

41 (f) A fee from a person who requests a photostatic copy or a
42 photocopy print of any paper or document in an amount determined
43 by the justices of the Supreme Court.

44 2. The Clerk of the Supreme Court shall not charge any fee that
45 is not authorized by law.



1 3. The Clerk of the Supreme Court shall keep a fee book *or*
2 *electronic record* in which the Clerk shall enter in detail the title of
3 the matter, proceeding or action, and the fees charged therein. The
4 fee book *or electronic record, as applicable*, must be open to public
5 inspection in the office of the Clerk.

6 4. The Clerk of the Supreme Court shall publish and post *by*
7 *conventional or electronic means*, in some conspicuous place in the
8 Clerk's office *and on the Internet website of the Clerk*, a table of
9 fees for public inspection. ~~[The Clerk shall forfeit a sum of not less~~
10 ~~than \$20 for each day of his or her omission to do so, which sum~~
11 ~~with costs may be recovered by any person by filing an action~~
12 ~~before any justice of the peace of the same county.]~~

13 5. All fees prescribed in this section must be paid in advance, if
14 demanded. If the Clerk of the Supreme Court has not received any
15 or all of the fees which are due to the Clerk for services rendered in
16 any suit or proceeding, the Clerk may have execution therefor in the
17 Clerk's own name against the party from whom they are due, to be
18 issued from the Supreme Court upon order of a justice thereof or
19 from the Court upon affidavit filed.

20 6. The Clerk of the Supreme Court shall give a receipt on
21 demand of the party paying a fee. The receipt must specify the title
22 of the cause in which the fee is paid and the date and the amount of
23 the payment.

24 7. The Clerk of the Supreme Court shall, when depositing with
25 the State Treasurer money received for Court fees, render to the
26 State Treasurer a brief note of the cases in which the money was
27 received.

28 **Sec. 3.** NRS 3.243 is hereby amended to read as follows:

29 3.243 In the time and manner prescribed by the Supreme
30 Court, the Chief Judge of the judicial district or, if the district has no
31 Chief Judge, a district judge designated by mutual consent of the
32 district judges of that district, shall submit to the Court
33 Administrator a report of the statistical information required
34 pursuant to ~~[this section and such other]~~ *the uniform system for*
35 *collecting and compiling* statistical information ~~[as]~~ *regarding the*
36 *State Court System which is* prescribed by the Supreme Court. ~~[The~~
37 ~~report must include, without limitation, statistical information~~
38 ~~concerning:~~

39 ~~—1. Those cases which are pending and undecided and the judge~~
40 ~~to whom each case has been assigned;~~

41 ~~—2. The type and number of cases each judge considered during~~
42 ~~the preceding month;~~

43 ~~—3. The number of cases submitted to each judge during the~~
44 ~~preceding month;~~



1 ~~—4. The number of cases decided by each judge during the~~
2 ~~preceding month; and~~

3 ~~—5. The number of full judicial days in which each judge~~
4 ~~appeared in court or in chambers in performance of his or her duties~~
5 ~~during the preceding month.]~~

6 **Sec. 4.** NRS 3.275 is hereby amended to read as follows:

7 3.275 1. The clerk of each district court shall obtain and file
8 information ~~[regarding the nature of each criminal and civil case~~
9 ~~filed with the district court. If the]~~ *necessary to complete the report*
10 *of statistical information required by NRS 3.243, including,*
11 *without limitation, information relating to the referral of a*
12 *criminal case [is referred] to a specialty court program, [the clerk*
13 *must obtain and file information regarding the nature of the case and*
14 *the program to which the defendant was referred.] using the case*
15 *management system provided by the Court Administrator.*

16 2. The clerk shall provide a form approved by the Court
17 Administrator for obtaining the information required by subsection
18 1 ~~[.]~~ *for each civil case filed in the district court.* No ~~[criminal or]~~
19 *civil case may be filed in the district court unless the initial pleading*
20 *is accompanied by the form, signed by the initiating party or his or*
21 *her representative. [In addition to the information on the form, the]*

22 3. *The* clerk shall maintain information concerning the
23 disposition of each criminal *and civil* case and, if applicable,
24 whether ~~[the]~~ *a criminal* defendant successfully completed ~~[a]~~ *the*
25 *specialty court program [.*

26 ~~—3.]~~ *to which he or she was referred.*

27 4. The clerk shall maintain the information ~~[contained in the~~
28 ~~form and collected pursuant to subsection 2]~~ *described in this*
29 *section in a [separate system of filing to allow] manner that allows*
30 *the retrieval of statistics relating to each criminal and civil action*
31 *filed in the district courts [.] as required to complete the report*
32 *required by NRS 3.243.*

33 **Sec. 4.2.** NRS 4.063 is hereby amended to read as follows:

34 4.063 1. In a county whose population is 100,000 or more,
35 the justice of the peace shall, on the commencement of any action or
36 proceeding in the justice court for which a fee is required, and on
37 the answer or appearance of any party in any such action or
38 proceeding for which a fee is required, charge and collect a fee of
39 not less than \$5 but not more than \$10 from the party commencing,
40 answering or appearing in the action or proceeding. The fee required
41 pursuant to this section is in addition to any other fee required by
42 law.

43 2. On or before the ~~[first Monday]~~ *fifth day* of each month, the
44 justice of the peace shall pay over to the county treasurer the amount
45 of all fees collected by the justice of the peace pursuant to



1 subsection 1 *during the preceding month* for credit to an account
2 for dispute resolution in the county general fund. The money in that
3 account must not be used for purposes other than the programs
4 established pursuant to NRS 3.500 and 244.1607.

5 3. The board of county commissioners of any other county may
6 impose by ordinance an additional filing fee of not more than \$10
7 be paid on the commencement of any action or proceeding in the
8 justice court for which a fee is required and on the filing of any
9 answer or appearance in any such action or proceeding for which a
10 fee is required. On or before the fifth day of each month, in a county
11 where this fee has been imposed, the justice of the peace shall
12 account for and pay over to the county treasurer all fees collected
13 during the preceding month pursuant to this subsection for credit to
14 an account for dispute resolution in the county general fund. The
15 money in the account must be used only to support a program
16 established pursuant to NRS 3.500 or 244.1607.

17 **Sec. 4.4.** NRS 4.065 is hereby amended to read as follows:

18 4.065 1. The justice of the peace shall, on the commencement
19 of any action or proceeding in the justice court for which a fee is
20 required, and on the answer or appearance of any defendant in any
21 such action or proceeding for which a fee is required, charge and
22 collect a fee of \$1 from the party commencing, answering or
23 appearing in the action or proceeding. These fees are in addition to
24 any other fee required by law.

25 2. On or before the ~~first Monday~~ *fifth day* of each month, the
26 justice of the peace shall pay over to the county treasurer the amount
27 of all fees collected by the justice of the peace pursuant to
28 subsection 1 *during the preceding month* for credit to the State
29 General Fund. Quarterly, the county treasurer shall remit all money
30 so collected to the State Controller, who shall place the money in an
31 account in the State General Fund for use by the Executive Director
32 of the Department of Taxation to administer the provisions of NRS
33 360.283 and 360.289.

34 **Sec. 4.6.** NRS 4.071 is hereby amended to read as follows:

35 4.071 1. In addition to any other fee required by law, in each
36 county that charges a fee pursuant to NRS 19.031 to offset a portion
37 of the costs of providing legal services without a charge to indigent
38 or elderly persons, a board of county commissioners may impose by
39 ordinance a filing fee to offset a portion of the costs of providing pro
40 bono programs and of providing legal services without a charge to
41 abused or neglected children and victims of domestic violence to be
42 remitted to the organization operating the program for legal services
43 that receives the fees charged pursuant to NRS 19.031 for programs
44 for the indigent in an amount not to exceed \$10 to be paid on the
45 commencement of any action or proceeding in the justice court for



1 which a filing fee is required and on the filing of any answer or
2 appearance in any such action or proceeding for which a filing fee is
3 required.

4 2. On or before the ~~[first Monday]~~ *fifth day* of each month, in a
5 county in which a fee has been imposed pursuant to subsection 1,
6 the justice of the peace shall account for and pay over to the county
7 treasurer any such fees collected by the justice of the peace during
8 the preceding month. The county treasurer shall remit quarterly to
9 the organization to which the fees are to be paid pursuant to
10 subsection 1 all the money received by the county treasurer from the
11 justice of the peace.

12 3. Any fees collected pursuant to this section must be used for
13 the benefit of the persons to whom the organization operating the
14 program for legal services that receives money pursuant to this
15 section provides legal services without a charge.

16 **Sec. 5.** NRS 4.090 is hereby amended to read as follows:

17 4.090 The justice of the peace shall keep in his or her office a
18 fee book *or electronic record* in which he or she shall enter in detail
19 the title of the matter, proceeding or action, and the fees charged
20 therein. The fee book *or electronic record, as applicable,* shall be
21 open to public inspection.

22 **Sec. 6.** NRS 4.100 is hereby amended to read as follows:

23 4.100 1. On ~~[the first Mondays of January, April, July and~~
24 ~~October, the justices]~~ *or before the 15th day of each month, a*
25 *justice* of the peace who ~~[receive]~~ *receives* fees pursuant to the
26 provisions of NRS 4.060, 4.063 and 4.065 shall make out and file
27 with the ~~[boards]~~ *county official designated by the board* of county
28 commissioners of ~~[their several counties]~~ *his or her county* a full
29 and correct statement ~~[under oath]~~ of all fees or compensation, of
30 whatever nature or kind, received in ~~[their several]~~ *his or her*
31 official ~~[capacities]~~ *capacity* during the preceding ~~[3 months.]~~
32 *month.* In the statement ~~[they]~~ , *the justice of the peace* shall set
33 forth the cause in which, and the services for which, such fees or
34 compensation were received.

35 2. This section does not require personal attendance in filing
36 statements, which may be transmitted by mail or otherwise directed
37 to the ~~[clerk of]~~ *county official designated by* the board of county
38 commissioners.

39 **Sec. 7.** NRS 4.130 is hereby amended to read as follows:

40 4.130 Any justice of the peace receiving fees as provided by
41 law shall publish and set up *by conventional or electronic means,* in
42 some conspicuous place in his or her office *and on the Internet*
43 *website of the justice court,* a ~~[fee]~~ *table of fees* for public
44 inspection. ~~[A sum not exceeding \$20 for each day of his or her~~
45 ~~omission so to do shall be forfeited, which sum with costs may be~~



1 ~~recovered by any person by an action before any justice of the peace~~
2 ~~of the same county.]~~

3 **Sec. 8.** NRS 4.175 is hereby amended to read as follows:

4 4.175 In the time and manner prescribed by the Supreme
5 Court, the justice of the peace of a township or, if there is more than
6 one justice of the peace of a township, a justice of the peace
7 designated by mutual consent of the other justices of the peace of
8 that township, shall submit to the Court Administrator a written
9 report of the statistical information required pursuant to ~~[this section~~
10 ~~and such other]~~ *the uniform system for collecting and compiling*
11 *statistical information [as] regarding the State Court System which*
12 *is* prescribed by the Supreme Court. ~~[The report must include,~~
13 ~~without limitation, statistical information concerning:~~

14 ~~—1. Those cases which are pending and undecided and the~~
15 ~~justice of the peace to whom each case has been assigned;~~

16 ~~—2. The type and number of cases each justice of the peace~~
17 ~~considered during the preceding month;~~

18 ~~—3. The number of cases submitted to each justice of the peace~~
19 ~~during the preceding month;~~

20 ~~—4. The number of cases decided by each justice of the peace~~
21 ~~during the preceding month; and~~

22 ~~—5. The number of full judicial days in which each justice of the~~
23 ~~peace appeared in court or in chambers in performance of his or her~~
24 ~~duties during the preceding month.]~~

25 **Sec. 9.** NRS 4.230 is hereby amended to read as follows:

26 4.230 ~~[1-]~~ Every justice must keep a docket, *by conventional*
27 *or electronic means*, in which the justice must enter:

28 ~~[(a)]~~ 1. The title of every action or proceeding.

29 ~~[(b)]~~ 2. The object of the action or proceeding; and if a sum of
30 money be claimed, the amount thereof.

31 ~~[(c)]~~ 3. The date of the summons, and the time of its return;
32 and if an order to arrest the defendant be made, or a writ of
33 attachment be issued, a statement of the fact.

34 ~~[(d)]~~ 4. The time when the parties, or either of them, appear, or
35 their nonappearance, if default be made; a minute of the pleadings
36 and motions; if in writing, referring to them; if not in writing, a
37 concise statement of the material parts of the pleading.

38 ~~[(e)]~~ 5. Every adjournment, stating on whose application and
39 to what time.

40 ~~[(f)]~~ 6. The demand for a trial by jury, when the same is made,
41 and by whom made, the order for the jury, and the time appointed
42 for the return of the jury and for the trial.

43 ~~[(g)]~~ 7. The names of the jurors who appear and are sworn,
44 and the names of all witnesses sworn, and at whose request.



1 ~~{(h)}~~ 8. The verdict of the jury, and when received; if the jury
2 disagree and are discharged, the fact of such disagreement and
3 discharge.

4 ~~{(i)}~~ 9. The judgment of the court, specifying the costs
5 included, and the time when rendered.

6 ~~{(j)}~~ 10. The issuing of the execution, when issued and to
7 whom; the renewals thereof, if any, and when made, and a statement
8 of any money paid to the justice, when and by whom.

9 ~~{(k)}~~ 11. The receipt of a notice of appeal, if any be given, and
10 of the appeal bond, if any be filed.

11 ~~{2.—The Court Administrator shall prescribe the form of the
12 docket and of any other appropriate records to be kept by the justice,
13 which form may vary from court to court according to the number
14 and kind of cases customarily heard.}~~

15 **Sec. 10.** NRS 5.045 is hereby amended to read as follows:

16 5.045 In the time and manner prescribed by the Supreme
17 Court, the municipal judge of a city or, if there is more than one
18 municipal judge for a city, a municipal judge designated by mutual
19 consent of the other municipal judges of that city, shall submit to the
20 Court Administrator a written report of the statistical information
21 required pursuant to ~~{this section and such other}~~ *the uniform*
22 *system for collecting and compiling* statistical information ~~{as}~~
23 *regarding the State Court System which is* prescribed by the
24 Supreme Court. ~~{The report must include, without limitation,
25 statistical information concerning:~~

26 ~~—1. Those cases which are pending and undecided and the
27 municipal judge to whom each case has been assigned;~~

28 ~~—2. The type and number of cases each municipal judge
29 considered during the preceding month;~~

30 ~~—3. The number of cases submitted to each municipal judge
31 during the preceding month;~~

32 ~~—4. The number of cases decided by each municipal judge
33 during the preceding month; and~~

34 ~~—5. The number of full judicial days in which each municipal
35 judge appeared in court or in chambers in performance of his or her
36 duties during the preceding month.}~~

37 **Sec. 11.** NRS 6.090 is hereby amended to read as follows:

38 6.090 1. ~~{To constitute a regular panel of trial jurors for the
39 district court in a county in which the board of county
40 commissioners selects jurors on an annual basis, such number of
41 names as the district judge may direct must be drawn from the jury
42 box. The district judge shall make and file with the county clerk an
43 order that a regular panel of trial jurors be drawn, and the number of
44 jurors to be drawn must be named in the order. The drawing must
45 take place in the office of the county clerk, during regular office~~



1 ~~hours, in the presence of all persons who may choose to witness it.~~
2 ~~The panel must be drawn by the district judge and clerk, or, if the~~
3 ~~district judge so directs, by any one of the county commissioners of~~
4 ~~the county and the clerk. If the district judge directs that the panel be~~
5 ~~drawn by one of the county commissioners of the county and the~~
6 ~~clerk, the district judge shall make and file with the clerk an order~~
7 ~~designating the name of the county commissioner and fixing the~~
8 ~~number of names to be drawn as trial jurors and the time at which~~
9 ~~the persons whose names are so drawn are required to attend in~~
10 ~~court.~~

11 ~~—2. The drawing, for jurors drawn pursuant to subsection 1,~~
12 ~~must be conducted as follows:~~

13 ~~—(a) The number to be drawn having been previously determined~~
14 ~~by the district judge, the box containing the names of the jurors must~~
15 ~~first be thoroughly shaken. It must then be opened and the district~~
16 ~~judge and clerk, or one of the county commissioners of the county~~
17 ~~and the clerk, if the district judge has so ordered, shall alternately~~
18 ~~draw therefrom one ballot until of nonexempt jurors the number~~
19 ~~determined upon is obtained.~~

20 ~~—(b) If the officers drawing the jury deem that the attendance of~~
21 ~~any juror whose name is drawn cannot be obtained conveniently and~~
22 ~~inexpensively to the county, by reason of the distance of the juror's~~
23 ~~residence from the court or other cause, the juror's name may be~~
24 ~~returned to the box and in its place the name of another juror drawn~~
25 ~~whose attendance the officers may deem can be obtained~~
26 ~~conveniently and inexpensively to the county.~~

27 ~~—(c) A list of the names obtained must be made out and certified~~
28 ~~by the officers drawing the jury. The list must remain in the clerk's~~
29 ~~office subject to inspection by any officer or attorney of the court,~~
30 ~~and the clerk shall immediately issue a venire.~~

31 ~~—3.] Whenever trial jurors are selected by a jury commissioner,~~
32 ~~the district judge may direct the jury commissioner to summon and~~
33 ~~assign to that court the number of qualified jurors the jury~~
34 ~~commissioner determines to be necessary for the formation of the~~
35 ~~petit jury. The jurors may be selected by computer whenever~~
36 ~~procedures to assure random selection from computerized lists have~~
37 ~~been established by the jury commissioner.~~

38 **[4.] 2.** Every person named in the venire must be served by the
39 sheriff personally or by the sheriff or the jury commissioner by
40 mailing a summons to the person, commanding the person to attend
41 as a juror at a time and place designated therein. Mileage is allowed
42 only for personal service. The postage must be paid by the sheriff or
43 the jury commissioner, as the case may be, and allowed him or her
44 as other claims against the county. The sheriff shall make return of
45 the venire at least the day before the day named for their



1 appearance, after which the venire is subject to inspection by any
2 officer or attorney of the court.

3 **Sec. 12.** NRS 6.150 is hereby amended to read as follows:

4 6.150 1. Each person summoned to attend as a grand juror or
5 a trial juror in the district court or justice court is entitled to a fee of
6 \$40 for each day after the second day of jury selection that the
7 person is in attendance in response to the venire or summons,
8 including Sundays and holidays.

9 2. Each grand juror and trial juror in the district court or justice
10 court actually sworn and serving is entitled to a fee of \$40 a day as
11 compensation for each day of service.

12 3. In addition to the fees specified in subsections 1 and 2, a
13 board of county commissioners may provide that, for each day of
14 such attendance or service, each person is entitled to be paid the per
15 diem allowance and travel expenses provided for state officers and
16 employees generally.

17 4. Each person summoned to attend as a grand juror or a trial
18 juror in the district court or justice court and each grand juror and
19 trial juror in the district court or justice court is entitled to receive
20 36.5 cents a mile for each mile necessarily and actually traveled if
21 the home of the person summoned or serving as a juror is 30 miles
22 or more from the place of trial.

23 5. If the home of a person summoned or serving as such a juror
24 is 65 miles or more from the place of trial and the selection, inquiry
25 or trial lasts more than 1 day, the person is entitled to receive an
26 allowance for lodging at the rate established for state employees, in
27 addition to his or her daily compensation for attendance or service,
28 for each day on which the person does not return to his or her home.

29 6. In civil cases, any fee, per diem allowance, travel expense or
30 other compensation due each juror engaged in the trial of the cause
31 must be paid each day in advance to the clerk of the court, or the
32 justice of the peace, by the party who has demanded the jury. If the
33 party paying this money is the prevailing party, the money is
34 recoverable as costs from the losing party. If the jury from any cause
35 is discharged in a civil action without finding a verdict and the party
36 who demands the jury subsequently obtains judgment, the money so
37 paid is recoverable as costs from the losing party.

38 7. The money paid by ~~{a county}~~ *the clerk of the court* to
39 jurors for their services in a civil action or proceeding, which the
40 ~~{county}~~ *clerk of the court* has received from the party demanding
41 the jury, must be deducted from the total amount due them for
42 attendance as such jurors, and any balance is a charge against the
43 county.



1 **Sec. 13.** NRS 6.160 is hereby amended to read as follows:

2 6.160 The ~~county~~ clerk *of the court* in cases in the district
3 court and the deputy clerk of the justice court in cases in the justice
4 court shall keep a payroll, enrolling thereon the names of all jurors,
5 the number of days in attendance and the actual number of miles
6 traveled by the shortest and most practical route in going to and
7 returning from the place where the court is held, and at the
8 conclusion of a trial may:

9 1. Give a statement of the amounts due to the jurors to the
10 county auditor, who shall draw warrants upon the county treasurer
11 for the payment thereof; or

12 2. Make an immediate payment in cash of the amount owing to
13 each juror.

14 ↳ These payments must be made from and to the extent allowed by
15 the fees collected from the demanding party, pursuant to the
16 provisions of NRS 6.150, and from and to the extent allowed by any
17 other fees which have been collected pursuant to law. The clerk
18 shall obtain from each juror so paid a receipt signed by him or her
19 and indicating the date of payment, the date of service and the
20 amount paid. A duplicate of this receipt must be immediately
21 delivered to the appropriate county auditor, county recorder or
22 county comptroller.

23 **Sec. 14.** Chapter 19 of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 15 and 16 of this act.

25 **Sec. 15.** *As used in this chapter, unless the context otherwise*
26 *requires, the words and terms defined in NRS 19.010 and section*
27 *16 of this act have the meanings ascribed to them in those*
28 *sections.*

29 **Sec. 16.** *“Clerk of the court” means:*

30 1. *In a county where the district court in and for that county*
31 *has not appointed a clerk, the county clerk when acting as ex*
32 *officio clerk of the district court.*

33 2. *In a county where the district court in and for that county*
34 *has appointed a clerk, the clerk of the district court.*

35 **Sec. 17.** NRS 19.013 is hereby amended to read as follows:

36 19.013 1. Except as otherwise provided by specific statute,
37 ~~each~~ the county clerk *or clerk of the court, as applicable*, shall
38 charge and collect the following fees:

39
40 On the commencement of any action or proceeding
41 in the district court, or on the transfer of any
42 action or proceeding from a district court of
43 another county, except probate or guardianship
44 proceedings, to be paid by the party
45 commencing the action, proceeding or transfer \$56.00



1	On an appeal to the district court of any case from a	
2	justice court or a municipal court, or on the	
3	transfer of any case from a justice court or a	
4	municipal court.....	\$42.00
5	On the filing of a petition for letters testamentary,	
6	letters of administration, setting aside an estate	
7	without administration, or a guardianship, which	
8	fee includes the court fee prescribed by NRS	
9	19.020, to be paid by the petitioner:	
10	Where the stated value of the estate is more	
11	than \$2,500	72.00
12	Where the stated value of the estate is \$2,500	
13	or less, no fee may be charged or	
14	collected.	
15	On the filing of a petition to contest any will or	
16	codicil, to be paid by the petitioner	44.00
17	On the filing of an objection or cross-petition to the	
18	appointment of an executor, administrator or	
19	guardian, or an objection to the settlement of	
20	account or any answer in an estate or	
21	guardianship matter	44.00
22	On the appearance of any defendant or any number	
23	of defendants answering jointly, to be paid upon	
24	the filing of the first paper in the action by the	
25	defendant or defendants	44.00
26	For filing a notice of appeal.....	24.00
27	For issuing a transcript of judgment and certifying	
28	thereto.....	3.00
29	For preparing any copy of any record, proceeding	
30	or paper, for each page, unless such fee is	
31	waived by the county clerk <i>or clerk of the court</i>	0.50
32	For each certificate of the clerk, under the seal of	
33	the court.....	3.00
34	For examining and certifying to a copy of any	
35	paper, record or proceeding prepared by another	
36	and presented for a certificate of the county	
37	clerk <i>or clerk of the court</i>	5.00
38	For filing all papers not otherwise provided for,	
39	other than papers filed in actions and	
40	proceedings in court and papers filed by public	
41	officers in their official capacity	15.00
42	For issuing any certificate under seal, not otherwise	
43	provided for.....	6.00



1	For searching records or files in the office of the	
2	county clerk of <i>or clerk of the court</i> , for each	
3	year, unless such fee is waived by the county	
4	clerk <i>or clerk of the court, as applicable</i>	\$0.50
5	For filing and recording a bond of a notary public,	
6	per name.....	15.00
7	For entering the name of a firm or corporation in	
8	the register of the county clerk.....	20.00

10 2. A county clerk may charge and collect, in addition to any fee
 11 that a county clerk is otherwise authorized to charge and collect, an
 12 additional fee not to exceed \$5 for filing and recording a bond of a
 13 notary public, per name. On or before the fifth day of each month,
 14 the county clerk shall pay to the county treasurer the amount of fees
 15 collected by the county clerk pursuant to this subsection for credit to
 16 the account established pursuant to NRS 19.016.

17 3. Except as otherwise provided by specific statute, all fees
 18 prescribed in this section are payable in advance if demanded by the
 19 county clerk ~~of~~ *or clerk of the court, as applicable*.

20 4. The fees set forth in subsection 1 are payment in full for all
 21 services rendered by the county clerk *or clerk of the court, as*
 22 *applicable*, in the case for which the fees are paid, including the
 23 preparation of the judgment roll, but the fees do not include
 24 payment for typing, copying, certifying or exemplifying or
 25 authenticating copies.

26 5. No fee may be charged to any attorney at law admitted to
 27 practice in this State for searching records or files in the office of the
 28 clerk. No fee may be charged for any services rendered to a
 29 defendant or the defendant's attorney in any criminal case or in
 30 habeas corpus proceedings.

31 6. Each county clerk *and clerk of the court* shall, on or before
 32 the fifth day of each month, account for and pay to the county
 33 treasurer all fees collected during the preceding month.

34 **Sec. 18.** NRS 19.030 is hereby amended to read as follows:

35 19.030 1. Except as otherwise provided by specific statute,
 36 on the commencement of any civil action or proceeding in the
 37 district court, other than the commencement of a proceeding for an
 38 adoption, the ~~[county]~~ clerk of ~~[each county.]~~ *the court*, in addition
 39 to any other fees provided by law, shall charge and collect \$32 from
 40 the party commencing the action or proceeding.

41 2. On or before the first Monday of each month, the ~~[county]~~
 42 clerk *of the court* shall pay over to the county treasurer an amount
 43 equal to \$32 per civil case commenced as provided in subsection 1,
 44 for the preceding calendar month, and the county treasurer shall
 45 place that money to the credit of the State *General* Fund. The



1 county treasurer shall remit quarterly all such fees turned over to the
2 county treasurer by the ~~county~~ clerk *of the court* to the State
3 Controller to be placed by the State Controller in the State General
4 Fund.

5 **Sec. 19.** NRS 19.0302 is hereby amended to read as follows:

6 19.0302 1. Except as otherwise provided by specific statute
7 and in addition to any other fee required by law, ~~each~~ *the* clerk of
8 the court ~~for county clerk, as appropriate,~~ shall charge and collect
9 the following fees:

10 (a) On the commencement of any action or
11 proceeding in the district court, other than those listed in
12 paragraphs (c), (e) and (f), or on the transfer of any action
13 or proceeding from a district court of another county, to
14 be paid by the party commencing the action, proceeding
15 or transfer..... \$99

16 (b) On the appearance of any defendant or any
17 number of defendants answering jointly, to be paid upon
18 the filing of the first paper in the action by the defendant
19 or defendants..... \$99

20 (c) On the filing of a petition for letters testamentary,
21 letters of administration or a guardianship, which fee does
22 not include the court fee prescribed by NRS 19.020, to be
23 paid by the petitioner:

24 (1) Where the stated value of the estate is
25 \$200,000 or more..... \$352

26 (2) Where the stated value of the estate is more
27 than \$20,000 but less than \$200,000..... \$99

28 (3) Where the stated value of the estate is \$20,000
29 or less, no fee may be charged or collected.

30 (d) On the filing of a motion for summary judgment
31 or a joinder thereto..... \$200

32 (e) On the commencement of an action defined as a
33 business matter pursuant to the local rules of practice and
34 on the answer or appearance of any party in any such
35 action or proceeding, to be paid by the party
36 commencing, answering or appearing in the action or
37 proceeding thereto..... \$1,359

38 (f) On the commencement of:

39 (1) An action for a constructional defect pursuant
40 to NRS 40.600 to 40.695, inclusive; or

41 (2) Any other action defined as "complex"
42 pursuant to the local rules of practice,



1 ↪ and on the answer or appearance of any party in any
2 such action or proceeding, to be paid by the party
3 commencing, answering or appearing in the action or
4 proceeding..... \$349

5 (g) On the filing of a third-party complaint, to be paid
6 by the filing party..... \$135

7 (h) On the filing of a motion to certify or decertify a
8 class, to be paid by the filing party \$349

9 (i) For the issuance of any writ of attachment, writ of
10 garnishment, writ of execution or any other writ designed
11 to enforce any judgment of the court \$10

12 2. Except as otherwise provided in subsection 4, fees collected
13 pursuant to this section must be deposited into a special account
14 administered by the county and maintained for the benefit of the
15 *district* court. The money in that account must be used only:

16 (a) To offset the costs for adding and maintaining new judicial
17 departments, including, without limitation, the cost for additional
18 staff;

19 (b) To reimburse the county for any capital costs incurred for
20 maintaining any judicial departments that are added by the 75th
21 Session of the Nevada Legislature; and

22 (c) If any money remains in the account in a fiscal year after
23 satisfying the purposes set forth in paragraphs (a) and (b), to:

24 (1) Acquire land on which to construct additional facilities
25 for the district court or a regional justice center that includes the
26 district court;

27 (2) Construct or acquire additional facilities for the district
28 court or a regional justice center that includes the district court;

29 (3) Renovate or remodel existing facilities for the district
30 court or a regional justice center that includes the district court;

31 (4) Acquire furniture, fixtures and equipment necessitated by
32 the construction or acquisition of additional facilities or the
33 renovation of an existing facility for the district court or a regional
34 justice center that includes the district court;

35 (5) Acquire advanced technology;

36 (6) Pay debt service on any bonds issued pursuant to
37 subsection 3 of NRS 350.020 for the acquisition of land or facilities
38 or the construction or renovation of facilities for the district court or
39 a regional justice center that includes the district court;

40 (7) In a county whose population is less than 100,000,
41 support court appointed special advocate programs for children, at
42 the discretion of the judges of the judicial district;

43 (8) In a county whose population is less than 100,000,
44 support legal services to the indigent and to be used by the
45 organization operating the program for legal services that receives



1 the fees charged pursuant to NRS 19.031 for the operation of
2 programs for the indigent; or

3 (9) Be carried forward to the next fiscal year.

4 3. Except as otherwise provided by specific statute, all fees
5 prescribed in this section are payable in advance if demanded by the
6 clerk of the court . ~~{or county clerk.}~~

7 4. Each clerk of the court ~~{or county clerk}~~ shall, on or before
8 the fifth day of each month, account for and pay to the county
9 treasurer:

10 (a) In a county whose population is 100,000 or more, an amount
11 equal to \$10 of each fee collected pursuant to paragraphs (a) and (b)
12 of subsection 1 during the preceding month. The county treasurer
13 shall remit quarterly to the organization operating the program for
14 legal services that receives the fees charged pursuant to NRS 19.031
15 for the operation of programs for the indigent all the money received
16 from the clerk of the court ~~{or county clerk}~~ pursuant to this
17 paragraph.

18 (b) All remaining fees collected pursuant to this section during
19 the preceding month.

20 **Sec. 20.** NRS 19.031 is hereby amended to read as follows:

21 19.031 1. Except as otherwise provided in subsection 2 and
22 NRS 19.034 , in each county in which legal services are provided
23 without charge to indigent or elderly persons through a program for
24 legal aid organized under the auspices of the State Bar of Nevada, a
25 county or local bar association, a county or municipal program for
26 legal services or other program funded by this State or the United
27 States to provide legal assistance, the ~~{county}~~ clerk *of the court*
28 shall, on the commencement of any civil action or proceeding in the
29 district court for which a filing fee is required, and on the filing of
30 any answer or appearance in any such action or proceeding for
31 which a filing fee is required, charge and collect a fee of \$25 from
32 the party commencing or appearing in the action or proceeding.
33 These fees are in addition to any other fees required by law.

34 2. In each county described in subsection 1, the ~~{county}~~ clerk
35 *of the court* shall, on the commencement of any action provided for
36 in chapter 125 of NRS, and on the filing of any answer or
37 appearance in any such action, charge and collect a fee of \$14 from
38 the party commencing or appearing in the action. These fees are in
39 addition to any other fees required by law.

40 3. On or before the first Monday of each month , the ~~{county}~~
41 clerk *of the court* shall pay over to the county treasurer the amount
42 of all fees collected by the ~~{county}~~ clerk *of the court* pursuant to
43 subsections 1 and 2. Except as otherwise provided in subsection 5,
44 the county treasurer shall remit quarterly to the organization



1 operating the program for legal services all the money received by
2 the county treasurer from the ~~county~~ clerk *of the court*.

3 4. The organization operating the program for legal services
4 shall use any money received pursuant to subsection 3 as follows:

5 (a) From each \$25 collected pursuant to subsection 1:

6 (1) Fifteen dollars and fifty cents for the benefit of indigent
7 persons in the county; and

8 (2) Nine dollars and fifty cents for the benefit of elderly
9 persons in the county.

10 (b) From each \$14 collected pursuant to subsection 2:

11 (1) Ten dollars for the benefit of indigent persons in the
12 county; and

13 (2) Four dollars for the benefit of elderly persons in the
14 county.

15 5. If the county treasurer receives notice from the State or a
16 political subdivision that an award of attorney's fees or costs has
17 been made to an organization that receives money pursuant to this
18 section and has been paid, the county treasurer shall:

19 (a) Deduct an amount equal to the award from the amount to be
20 paid to the organization; and

21 (b) Remit an equal amount to the State or to the political
22 subdivision that paid the fees or costs at the time when the county
23 treasurer would have paid it to the organization.

24 6. The fees which are collected from a county must be used for
25 the benefit of the indigent or elderly persons in that county.

26 **Sec. 21.** NRS 19.0312 is hereby amended to read as follows:

27 19.0312 1. Except as otherwise provided in subsection 2, in
28 addition to any other fee required by law, in each county that
29 charges a fee pursuant to NRS 19.031 to offset a portion of the costs
30 of providing legal services without a charge to indigent or elderly
31 persons, a board of county commissioners may impose by ordinance
32 a filing fee to offset a portion of the costs of providing pro bono
33 programs and of providing legal services without a charge to abused
34 or neglected children and victims of domestic violence to be
35 remitted to the organization operating the program for legal services
36 that receives the fees charged pursuant to NRS 19.031 for programs
37 for the indigent in an amount not to exceed:

38 (a) Ten dollars to be paid on the commencement of any civil
39 action or proceeding in the district court for which a filing fee is
40 required and on the filing of any answer or appearance in any such
41 action or proceeding for which a filing fee is required.

42 (b) Twenty-five dollars to be paid on the filing of any motion or
43 other paper that seeks to modify or adjust a final order that was
44 issued pursuant to chapter 125, 125B or 125C of NRS and on the
45 filing of any answer or response to such a motion or other paper.



1 2. A board of county commissioners may not by ordinance
2 impose a filing fee pursuant to paragraph (b) of subsection 1 for:

3 (a) A motion filed solely to adjust the amount of support for a
4 child set forth in a final order; or

5 (b) A motion for reconsideration or for a new trial that is filed
6 within 10 days after a final judgment or decree has been issued.

7 3. On or before the first Monday of each month, in a county in
8 which a fee has been imposed pursuant to subsection 1, the [county]
9 clerk *of the court* shall account for and pay over to the county
10 treasurer any such fees collected by the [county] clerk *of the court*
11 during the preceding month. The county treasurer shall remit
12 quarterly to the organization to which the fees are to be paid
13 pursuant to subsection 1 all the money received by the county
14 treasurer from the [county] clerk *of the court*.

15 4. Any fees collected pursuant to this section must be used for
16 the benefit of the persons to whom the organization operating the
17 program for legal services that receives money pursuant to this
18 section provides legal services without a charge.

19 **Sec. 22.** NRS 19.0313 is hereby amended to read as follows:

20 19.0313 1. Except as otherwise provided in NRS 19.034, in a
21 county whose population is 100,000 or more, the [county] clerk *of*
22 *the court* shall, on the commencement of any civil action or
23 proceeding in the district court for which a filing fee is required, and
24 on the filing of any answer or appearance in any such action or
25 proceeding for which a filing fee is required, charge and collect not
26 less than \$5 but not more than \$10 from the party commencing,
27 answering or appearing in the action or proceeding. The fee required
28 pursuant to this section is in addition to any other fee required by
29 law.

30 2. On or before the first Monday of each month, the [county]
31 clerk *of the court* shall pay over to the county treasurer the amount
32 of all fees collected by the [county] clerk *of the court* pursuant to
33 subsection 1 for use in the programs established in accordance with
34 NRS 3.500 and 244.1607.

35 3. Except as otherwise provided in NRS 19.034, the board of
36 county commissioners of any other county may impose by
37 ordinance an additional filing fee of not more than \$10 to be paid on
38 the commencement of any civil action or proceeding in the district
39 court for which a filing fee is required and on the filing of any
40 answer or appearance in any such action or proceeding for which a
41 filing fee is required. On or before the fifth day of each month, in a
42 county where this fee has been imposed, the [county] clerk *of the*
43 *court* shall account for and pay over to the county treasurer all fees
44 collected during the preceding month pursuant to this subsection for
45 credit to an account for dispute resolution in the county general



1 fund. The money in the account must be used only to support a
2 program established pursuant to NRS 3.500 or 244.1607.

3 **Sec. 23.** NRS 19.0315 is hereby amended to read as follows:

4 19.0315 1. Except as otherwise provided in NRS 19.034, on
5 the commencement of any civil action or proceeding in the district
6 court for which a filing fee is required, and on the filing of any
7 answer or appearance in any such action or proceeding for which a
8 filing fee is required, a board of county commissioners may impose
9 by ordinance a filing fee in an amount not to exceed \$15 to offset a
10 portion of the costs of providing programs of alternative dispute
11 resolution on the party commencing, answering or appearing in the
12 action or proceeding. These fees are in addition to any other fee
13 required by law.

14 2. On or before the first Monday of each month, the [county]
15 clerk *of the court* shall pay over to the county treasurer the amount
16 of all fees collected by the [county] clerk *of the court* pursuant to
17 subsection 1 for credit to an account for court programs for
18 alternative dispute resolution in the county general fund. The money
19 in the account must be used only to support programs for the
20 arbitration of civil actions pursuant to NRS 38.250 and programs for
21 the resolution of disputes through the use of other alternative
22 methods of resolving disputes pursuant to NRS 38.258.

23 3. The provisions of this section apply only in judicial districts
24 in which a program for alternative dispute resolution has been
25 established pursuant to NRS 38.250 or 38.258.

26 4. As used in this section, "alternative dispute resolution"
27 means alternative methods of resolving disputes, including, without
28 limitation, arbitration and mediation.

29 **Sec. 24.** NRS 19.033 is hereby amended to read as follows:

30 19.033 1. In each county, on the commencement of any
31 action for divorce in the district court, the [county] clerk *of the*
32 *court* shall charge and collect, in addition to other fees required by
33 law, a fee of \$20. The fee must be paid by the party commencing the
34 action.

35 2. On or before the first Monday of each month, the [county]
36 clerk *of the court* shall pay over to the county treasurer an amount
37 equal to all fees collected by the [county] clerk *of the court* pursuant
38 to subsection 1, and the county treasurer shall place that amount to
39 the credit of the State General Fund. Quarterly, the county treasurer
40 shall remit all money so collected to the State Controller, who shall
41 place the money in an account in the State General Fund for use by
42 the Director of the Department of Employment, Training and
43 Rehabilitation to administer the provisions of NRS 388.605 to
44 388.655, inclusive.



1 3. The board of county commissioners of any county may
2 impose by ordinance an additional filing fee of not more than \$6 to
3 be paid by the defendant in an action for divorce, annulment or
4 separate maintenance. In a county where this fee has been imposed:

5 (a) On the appearance of a defendant in the action in the district
6 court, the [county] clerk [] of the court, in addition to any other
7 fees provided by law, shall charge and collect from the defendant
8 the prescribed fee to be paid upon the filing of the first paper in the
9 action by the defendant.

10 (b) On or before the fifth day of each month, the [county] clerk
11 of the court shall account for and pay to the county treasurer all fees
12 collected during the preceding month pursuant to paragraph (a).

13 **Sec. 25.** NRS 19.034 is hereby amended to read as follows:

14 19.034 If the agency which provides child welfare services, or
15 a child-placing agency licensed by the Division of Child and Family
16 Services of the Department of Health and Human Services pursuant
17 to chapter 127 of NRS, consents to the adoption of a child with
18 special needs pursuant to NRS 127.186, [a-county] the clerk of the
19 court shall reduce the total filing fee to not more than \$1 for filing
20 the petition to adopt such a child.

21 **Sec. 26.** NRS 19.035 is hereby amended to read as follows:

22 19.035 Notwithstanding any other provision of this chapter, [a
23 county] the clerk of the court shall neither charge nor collect any
24 fee for any service rendered by the [county] clerk of the court to:

- 25 1. The State of Nevada;
- 26 2. The county [of] in which he or she is [county] clerk [] of
27 the court;
- 28 3. Any city or town within that county;
- 29 4. The school district of that county;
- 30 5. Any general improvement district which is located within
31 that county; or
- 32 6. Any officer of the State, that county or any such city, town,
33 school district or general improvement district in the officer's
34 official capacity.

35 **Sec. 27.** NRS 19.040 is hereby amended to read as follows:

36 19.040 [H-] Every [county] clerk of the court shall publish
37 and set up by conventional or electronic means, in some
38 conspicuous place in his or her office and on the Internet website of
39 the clerk of the court, a table of fees according to this chapter for
40 the inspection of all persons who have business in the office of the
41 [county clerk].

42 ~~—2.— Any county clerk who fails to comply with the provisions of~~
43 ~~subsection 1 shall forfeit for each day of omission a sum not~~
44 ~~exceeding \$20, which, together with costs, may be recovered by any~~



1 ~~person in an action before a justice of the peace of the same county.]~~
2 ~~clerk of the court.~~

3 **Sec. 28.** NRS 19.050 is hereby amended to read as follows:

4 19.050 Except as otherwise provided in subsection 8 of NRS
5 127.186, when by law any publication is required to be made by a
6 ~~county~~ clerk *of the court* of any suit, process, notice, order or
7 other paper, the cost of such publication shall, if demanded, be
8 tendered by the party to whom such order, process, notice or other
9 paper was granted before the ~~county~~ clerk *of the court* shall be
10 compelled to make publication thereof.

11 **Sec. 29.** NRS 19.060 is hereby amended to read as follows:

12 19.060 Except as otherwise provided by specific statute, all
13 fees prescribed in this chapter must be paid in advance, if
14 demanded. If ~~any county~~ a clerk *of the court* has not received any
15 or all of the fees which may be due for services rendered by the
16 ~~county~~ clerk *of the court* in any suit or proceeding, the ~~county~~
17 clerk *of the court* may have execution therefor in ~~his or her own~~
18 *the clerk's* name against the party or parties from whom they are
19 due, to be issued from the court where the action is pending, upon
20 the order of the judge or court upon affidavit filed.

21 **Sec. 30.** NRS 19.070 is hereby amended to read as follows:

22 19.070 A ~~county~~ clerk *of the court* shall not charge any fee
23 that is not authorized by law.

24 **Sec. 31.** NRS 19.080 is hereby amended to read as follows:

25 19.080 ~~Each county~~ *The* clerk *of the court* shall keep in his
26 or her office, open to public inspection, a fee book *or electronic*
27 *record* in which the ~~county~~ clerk *of the court* shall enter in detail
28 the fees charged with the title or the case number of the matter,
29 proceeding or action in which they were charged.

30 **Sec. 32.** NRS 19.090 is hereby amended to read as follows:

31 19.090 1. ~~Each county~~ *The* clerk *of the court* shall, on ~~the~~
32 ~~first Monday in January, April, July and October,]~~ *or before the*
33 *15th day of each month,* make out and file with the *county official*
34 *designated by the* board of county commissioners a full and correct
35 statement under oath of all fees, percentage or compensation, of
36 whatever nature or kind, received in his or her official capacity
37 during the preceding ~~3 months.]~~ *month.* In the statement, the
38 ~~county~~ clerk *of the court* shall set forth the cause in which and the
39 services for which such compensations were received.

40 2. Nothing in this section shall be so construed as to require
41 personal attendance in filing the statements, and such statements
42 may be transmitted by mail, express or otherwise directed to the
43 *county official designated by the* board of county commissioners.



1 **Sec. 33.** NRS 19.110 is hereby amended to read as follows:

2 19.110 ~~[If any county] The clerk [takes] of the court shall not~~
3 ~~take~~ more or greater fees than are authorized by law . ~~[, the county~~
4 ~~clerk shall be liable to indictment, and on conviction shall be~~
5 ~~removed from office and fined in any sum not exceeding \$1,000.]~~

6 **Sec. 34.** NRS 33.090 is hereby amended to read as follows:

7 33.090 1. A person may register an order for protection
8 against domestic violence issued by the court of another state,
9 territory or Indian tribe within the United States by presenting a
10 certified copy of the order to the clerk of ~~[the] a court~~ *of competent*
11 *jurisdiction* in a judicial district in which the person believes that
12 enforcement may be necessary.

13 2. The clerk of the court shall:

14 (a) Maintain a record of each order registered pursuant to this
15 section;

16 (b) Provide the protected party with a ~~[certified]~~ copy of the
17 order registered pursuant to this section bearing proof of registration
18 with the court;

19 (c) Forward, *by conventional or electronic means*, by the end of
20 the next business day, a copy of an order registered pursuant to this
21 section to the appropriate law enforcement agency which has
22 jurisdiction over the residence, school, child care facility or other
23 provider of child care, or place of employment of the protected party
24 or the child of the protected party; and

25 (d) Inform the protected party upon the successful transfer of
26 information concerning the registration to the Central Repository for
27 Nevada Records of Criminal History as required pursuant to
28 NRS 33.095.

29 3. The clerk of the court shall not:

30 (a) Charge a fee for registering an order or for providing a
31 certified copy of an order pursuant to this section.

32 (b) Notify the party against whom the order has been made that
33 an order for protection against domestic violence issued by the court
34 of another state, territory or Indian tribe has been registered in this
35 State.

36 4. A person who registers an order pursuant to this section
37 must not be charged to have the order served in this State.

38 **Sec. 35.** NRS 41.260 is hereby amended to read as follows:

39 41.260 There shall be no fee charged or collected by ~~[any~~
40 ~~county] the clerk of the court~~ for any proceeding under the
41 provisions of NRS 41.209 to 41.260, inclusive.

42 **Sec. 35.5.** NRS 176.285 is hereby amended to read as follows:

43 176.285 In Justice Court, when a fine is paid or bail is
44 forfeited, the justice must pay the same to the county treasurer
45 ~~[within 30 days thereafter.]~~ *on or before the fifth day of the month*



1 *immediately following the month in which the fine is paid or bail*
2 *is forfeited.*

3 **Sec. 36.** NRS 176A.220 is hereby amended to read as follows:

4 176A.220 1. The court shall, upon the entering of an order of
5 probation or suspension of sentence, as provided for in this chapter,
6 direct the clerk of the court to ~~[certify]~~ *deliver* a copy of the records
7 in the case ~~[and deliver the copy]~~ to the Chief Parole and Probation
8 Officer.

9 2. *At the court's discretion, the court may direct the clerk of*
10 *the court to deliver the copy of the records in the case in writing,*
11 *by electronic means or by providing the Chief Parole and*
12 *Probation Officer access to the electronic systems necessary to*
13 *retrieve the records.*

14 **Sec. 37.** NRS 178.508 is hereby amended to read as follows:

15 178.508 1. If the defendant fails to appear when the
16 defendant's presence in court is lawfully required for the
17 commission of a misdemeanor and the failure to appear is not
18 excused or is lawfully required for the commission of a gross
19 misdemeanor or felony, the court shall:

20 (a) Enter upon its minutes that the defendant failed to appear;

21 (b) Not later than 45 days after the date on which the defendant
22 failed to appear, order the issuance of a warrant for the arrest of the
23 defendant; and

24 (c) If the undertaking exceeds \$50 or money deposited instead
25 of bail bond exceeds \$500, direct that each surety and the local
26 agent of each surety, or the depositor if the depositor is not the
27 defendant, be given notice that the defendant has failed to appear, by
28 certified mail within 20 days after the date on which the defendant
29 failed to appear. The court shall execute an affidavit of such mailing
30 to be kept as an official public record of the court and shall direct
31 that a copy of the notice be transmitted to the prosecuting attorney at
32 the same time that notice is given to each surety or the depositor.

33 2. Except as otherwise provided in subsection 3 and NRS
34 178.509, an order of forfeiture of any undertaking or money
35 deposited instead of bail bond must be prepared by the clerk of the
36 court and signed by the court. An order of forfeiture must include
37 the date on which the forfeiture becomes effective. ~~[If the defendant~~
38 ~~who failed to appear has been charged with the commission of a~~
39 ~~gross misdemeanor or felony, a copy of the order must be forwarded~~
40 ~~to the Office of Court Administrator.]~~ The undertaking or money
41 deposited instead of bail bond is forfeited 180 days after the date on
42 which the notice is mailed pursuant to subsection 1.

43 3. The court may extend the date of the forfeiture for any
44 reasonable period set by the court if the surety or depositor submits
45 to the court:



1 (a) An application for an extension and the court determines that
2 the surety or the depositor is making reasonable and ongoing efforts
3 to bring the defendant before the court.

4 (b) An application for an extension on the ground that the
5 defendant is temporarily prevented from appearing before the court
6 because the defendant:

7 (1) Is ill;

8 (2) Is insane; or

9 (3) Is being detained by civil or military authorities,

10 ↪ and the court, upon hearing the matter, determines that one or
11 more of the grounds described in this paragraph exist and that the
12 surety or depositor did not in any way cause or aid the absence of
13 the defendant.

14 **Sec. 38.** NRS 178.509 is hereby amended to read as follows:

15 178.509 1. If the defendant fails to appear when the
16 defendant's presence in court is lawfully required, the court shall not
17 exonerate the surety before the date of forfeiture prescribed in NRS
18 178.508 unless:

19 (a) The defendant appears before the court and the court, upon
20 hearing the matter, determines that the defendant has presented a
21 satisfactory excuse or that the surety did not in any way cause or aid
22 the absence of the defendant; or

23 (b) The surety submits an application for exoneration on the
24 ground that the defendant is unable to appear because the defendant:

25 (1) Is dead;

26 (2) Is ill;

27 (3) Is insane;

28 (4) Is being detained by civil or military authorities; or

29 (5) Has been deported,

30 ↪ and the court, upon hearing the matter, determines that one or
31 more of the grounds described in this paragraph exist and that the
32 surety did not in any way cause or aid the absence of the defendant.

33 2. If the requirements of subsection 1 are met, the court may
34 exonerate the surety upon such terms as may be just.

35 ~~[3.— If the court exonerates a surety pursuant to this section and
36 there is any undertaking or money deposited instead of bail bond
37 where the defendant has been charged with a gross misdemeanor or
38 felony, the court shall:~~

39 ~~—(a) Prepare an order exonerating the surety; and~~

40 ~~—(b) Forward a copy of the order to the Office of Court
41 Administrator.]~~

42 **Sec. 39.** NRS 178.512 is hereby amended to read as follows:

43 178.512 1. The court shall not set aside a forfeiture unless:

44 (a) The surety submits an application to set it aside on the
45 ground that the defendant:



1 (1) Has appeared before the court since the date of the
2 forfeiture and has presented a satisfactory excuse for the defendant's
3 absence;

4 (2) Was dead before the date of the forfeiture but the surety
5 did not know and could not reasonably have known of the
6 defendant's death before that date;

7 (3) Was unable to appear before the court before the date of
8 the forfeiture because of the defendant's illness or insanity, but the
9 surety did not know and could not reasonably have known of the
10 illness or insanity before that date;

11 (4) Was unable to appear before the court before the date of
12 the forfeiture because the defendant was being detained by civil or
13 military authorities, but the surety did not know and could not
14 reasonably have known of the defendant's detention before that
15 date; or

16 (5) Was unable to appear before the court before the date of
17 the forfeiture because the defendant was deported, but the surety did
18 not know and could not reasonably have known of the defendant's
19 deportation before that date,

20 and the court, upon hearing the matter, determines that one or
21 more of the grounds described in this subsection exist and that the
22 surety did not in any way cause or aid the absence of the defendant;
23 and

24 (b) The court determines that justice does not require the
25 enforcement of the forfeiture.

26 2. If the court sets aside a forfeiture pursuant to subsection 1
27 and the forfeiture includes any undertaking or money deposited
28 instead of bail bond where the defendant has been charged with a
29 gross misdemeanor or felony, the court shall make a written finding
30 in support of setting aside the forfeiture. ~~[The court shall mail a
31 copy of the order setting aside the forfeiture to the Office of Court
32 Administrator immediately upon entry of the order.]~~

33 **Sec. 40.** NRS 178.514 is hereby amended to read as follows:

34 178.514 1. When a forfeiture has not been set aside, the court
35 shall on motion enter a judgment of default and execution may issue
36 thereon.

37 2. If ~~[the Office of Court Administrator has not received]~~ an
38 order setting aside a forfeiture *has not been entered* within 180 days
39 after the issuance of the order of forfeiture, ~~[the Court Administrator
40 shall request that the court that ordered the forfeiture institute
41 proceedings to enter a judgment of default with respect to the
42 amount of the undertaking or money deposited instead of bail bond
43 with the court. Not later than 30 days after receipt of the request
44 from the Office of Court Administrator.]~~ the court shall enter
45 judgment by default and commence execution proceedings therein.



1 3. By entering into a bond the obligors submit to the
2 jurisdiction of the court and irrevocably appoint the clerk of the
3 court as their agent upon whom any papers affecting their liability
4 may be served. Their liability may be enforced on motion and such
5 notice of the motion as the court prescribes may be served on the
6 clerk of the court, who shall forthwith mail copies to the obligors to
7 their last known addresses.

8 **Sec. 41.** NRS 2.260, 4.110, 4.200, 4.250, 4.330, 5.075, 6.050,
9 6.060, 6.070, 6.080, 19.100 and 177.267 are hereby repealed.

LEADLINES OF REPEALED SECTIONS

2.260 List of cases submitted to be published monthly by Clerk.

4.110 Penalty for failure to comply with statutory requirements.

4.200 Duty to record violations concerning motor vehicles.

4.250 Docket must be kept by justice of the peace.

4.330 Justice of the peace to receive all money collected and pay it to parties.

5.075 Form of docket and records.

6.050 Estimate of required number of jurors by district court; selection by county commissioners.

6.060 Names of persons selected to be placed in jury box.

6.070 Juror not serving; name drawn again; exemption.

6.080 Selection of additional jurors by county commissioners when names in jury box exhausted; open venire.

19.100 Penalty for violating NRS 19.070, 19.080 or 19.090.

177.267 Time within which court of appeals or Supreme Court shall render opinion on appeal from judgment of death.

