
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.

~

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

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

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

55 Under existing law, a person may register an order for protection against
56 domestic violence issued by a court in another state by presenting a certified copy
57 of the order to the clerk of the court in a judicial district in which the person
58 believes that enforcement may be necessary. (NRS 33.090) **Section 34** of this bill:
59 (1) provides that such an order may be registered in a court of competent
60 jurisdiction in the judicial district in which the person believes that enforcement



61 may be necessary; and (2) authorizes a copy of such an order to be forwarded by
62 conventional or electronic means to the appropriate law enforcement agency.

63 Existing law requires a court, upon entering an order of probation or suspension
64 of sentence, to direct the clerk of the court to certify a copy of the records in the
65 case and deliver a copy of the records in the case to the Chief Parole and Probation
66 Officer. (NRS 176A.220) **Section 36** of this bill removes the requirement that the
67 clerk certify a copy of the records and authorizes the clerk to deliver the records to
68 the Chief in writing, by electronic means or by affording the Chief access to an
69 electronic system necessary to retrieve the records.

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

74 **Section 41** removes certain provisions of existing law, including provisions: (1)
75 requiring the Clerk of the Supreme Court to publish a list of certain cases in a
76 newspaper; (2) establishing penalties for justices of the peace and county clerks
77 who fail to perform certain duties; (3) requiring justices of the peace to keep
78 records of certain traffic violations; and (4) requiring the Nevada Supreme Court to
79 decide an appeal from a judgment imposing the death penalty within a certain
80 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.~~

17 ~~—3.— The Court Administrator shall, after consulting with the~~
18 ~~State Department of Conservation and Natural Resources, prescribe~~
19 ~~the procedure for the disposition of the paper and paper products to~~
20 ~~be recycled. The Court Administrator may prescribe a procedure for~~
21 ~~the recycling of other waste materials produced on the premises of~~
22 ~~the court building.~~

23 ~~—4.— Any money received by a court of justice for recycling or~~
24 ~~causing to be recycled the paper and paper products it uses must be~~



1 ~~paid by the clerk of that court to the State Treasurer for credit to the~~
2 ~~State General Fund.~~

3 ~~—5.]~~ As used in this section:

4 (a) "Paper" includes newspaper, high-grade office paper, fine
5 paper, bond paper, offset paper, xerographic paper, mimeo paper,
6 duplicator paper and any other cellulosic material which contains
7 not more than 10 percent by weight or volume of a noncellulosic
8 material, including, but not limited to, a laminate, binder, coating
9 and saturant.

10 (b) "Paper product" means any paper article or commodity,
11 including, but not limited to, paper napkins, towels, cardboard,
12 construction material, paper and any other cellulosic material which
13 contains not more than 10 percent by weight or volume of a
14 noncellulosic material, including, but not limited to, a laminate,
15 binder, coating and saturant.

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

17 2.250 1. The Clerk of the Supreme Court may demand and
18 receive for the services of the Clerk rendered in discharging the
19 duties imposed upon him or her by law the following fees:

20 (a) Except as otherwise provided in paragraph (d), whenever an
21 appeal is taken to the Supreme Court, or whenever a special
22 proceeding by way of mandamus, certiorari, prohibition, quo
23 warrant, habeas corpus, or otherwise is brought in or to the
24 Supreme Court, the appellant and any cross-appellant or the party
25 bringing a special proceeding shall, at or before the appeal, cross-
26 appeal or petition for a special proceeding has been entered on the
27 docket, pay to the Clerk of the Supreme Court the sum of \$200.

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

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

34 (1) Whenever an appeal is taken to the Supreme Court, or
35 whenever a special proceeding by way of mandamus, certiorari,
36 prohibition, quo warrant, habeas corpus, or otherwise is brought in
37 or to the Supreme Court, the appellant and any cross-appellant or
38 the party bringing a special proceeding shall, at or before the appeal,
39 cross-appeal or petition for a special proceeding has been entered on
40 the docket, pay to the Clerk of the Supreme Court a court
41 automation fee of \$50.

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



1 ↳ The Clerk of the Supreme Court shall remit the fees collected
2 pursuant to this paragraph to the State Controller for credit to a
3 special account in the State General Fund. The State Controller shall
4 distribute the money received to the Office of Court Administrator
5 to be used for advanced and improved technological purposes in the
6 Supreme Court. The special account is restricted to the use
7 specified, and the balance in the special account must be carried
8 forward at the end of each fiscal year. As used in this paragraph,
9 “technological purposes” means the acquisition or improvement of
10 technology, including, without limitation, acquiring or improving
11 technology for converting and archiving records, purchasing
12 hardware and software, maintaining the technology, training
13 employees in the operation of the technology and contracting for
14 professional services relating to the technology.

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

16 (1) Any action brought in or to the Supreme Court wherein
17 the State of Nevada or any county, city or town thereof, or any
18 officer or commission thereof is a party in his, her or its official or
19 representative capacity, against the State of Nevada, county, city,
20 town, officer or commission;

21 (2) A habeas corpus proceeding of a criminal or quasi-
22 criminal nature; or

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

25 (e) A fee of \$60 for Supreme Court decisions in pamphlet form
26 for each year, or a fee of \$30 for less than a 6 months’ supply of
27 decisions, to be collected from each person who requests such
28 decisions, except those persons and agencies set forth in NRS 2.345.
29 The Clerk may charge a reasonable fee to all parties, including,
30 without limitation, the persons and agencies set forth in NRS 2.345,
31 for access to decisions of the Supreme Court compiled in an
32 electronic format.

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

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

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

43 4. The Clerk of the Supreme Court shall publish and post *by*
44 *conventional or electronic means*, in some conspicuous place in the
45 Clerk’s office *and on the Internet website of the Clerk*, a table of



1 fees for public inspection. ~~[The Clerk shall forfeit a sum of not less~~
2 ~~than \$20 for each day of his or her omission to do so, which sum~~
3 ~~with costs may be recovered by any person by filing an action~~
4 ~~before any justice of the peace of the same county.]~~

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

12 6. The Clerk of the Supreme Court shall give a receipt on
13 demand of the party paying a fee. The receipt must specify the title
14 of the cause in which the fee is paid and the date and the amount of
15 the payment.

16 7. The Clerk of the Supreme Court shall, when depositing with
17 the State Treasurer money received for Court fees, render to the
18 State Treasurer a brief note of the cases in which the money was
19 received.

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

21 3.243 In the time and manner prescribed by the Supreme
22 Court, the Chief Judge of the judicial district or, if the district has no
23 Chief Judge, a district judge designated by mutual consent of the
24 district judges of that district, shall submit to the Court
25 Administrator a report of the statistical information required
26 pursuant to ~~[this section and such other]~~ *the uniform system for*
27 *collecting and compiling* statistical information ~~[as]~~ *regarding the*
28 *State Court System which is* prescribed by the Supreme Court. ~~[The~~
29 ~~report must include, without limitation, statistical information~~
30 ~~concerning:~~

- 31 ~~— 1. Those cases which are pending and undecided and the judge~~
32 ~~to whom each case has been assigned;~~
33 ~~— 2. The type and number of cases each judge considered during~~
34 ~~the preceding month;~~
35 ~~— 3. The number of cases submitted to each judge during the~~
36 ~~preceding month;~~
37 ~~— 4. The number of cases decided by each judge during the~~
38 ~~preceding month; and~~
39 ~~— 5. The number of full judicial days in which each judge~~
40 ~~appeared in court or in chambers in performance of his or her duties~~
41 ~~during the preceding month.]~~

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

43 3.275 1. The clerk of each district court shall obtain and file
44 information ~~[regarding the nature of each criminal and civil case~~
45 ~~filed with the district court. If the]~~ *necessary to complete the report*



1 *of statistical information required by NRS 3.243, including,*
2 *without limitation, information relating to the referral of a*
3 *criminal case ~~is referred~~ to a specialty court program, ~~the clerk~~*
4 *~~must obtain and file information regarding the nature of the case and~~*
5 *~~the program to which the defendant was referred.] using the case~~*
6 *management system provided by the Court Administrator.*

7 2. The clerk shall provide a form approved by the Court
8 Administrator for obtaining the information required by subsection
9 1 ~~[.] for each civil case filed in the district court.~~ No ~~[criminal or]~~
10 civil case may be filed in the district court unless the initial pleading
11 is accompanied by the form, signed by the initiating party or his or
12 her representative. ~~[In addition to the information on the form, the]~~

13 3. *The* clerk shall maintain information concerning the
14 disposition of each criminal *and civil* case and, if applicable,
15 whether ~~the~~ *a criminal* defendant successfully completed ~~a~~ *the*
16 specialty court program ~~[.~~
17 ~~—3.] to which he or she was referred.~~

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

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

25 4.090 The justice of the peace shall keep in his or her office a
26 fee book *or electronic record* in which he or she shall enter in detail
27 the title of the matter, proceeding or action, and the fees charged
28 therein. The fee book *or electronic record, as applicable,* shall be
29 open to public inspection.

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

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

43 2. This section does not require personal attendance in filing
44 statements, which may be transmitted by mail or otherwise directed



1 to the ~~[clerk of]~~ *county official designated by* the board of county
2 commissioners.

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

4 4.130 Any justice of the peace receiving fees as provided by
5 law shall publish and set up *by conventional or electronic means*, in
6 some conspicuous place in his or her office *and on the Internet*
7 *website of the justice court*, a ~~[fee]~~ *table of fees* for public
8 inspection. ~~[A sum not exceeding \$20 for each day of his or her~~
9 ~~omission so to do shall be forfeited, which sum with costs may be~~
10 ~~recovered by any person by an action before any justice of the peace~~
11 ~~of the same county.]~~

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

13 4.175 In the time and manner prescribed by the Supreme
14 Court, the justice of the peace of a township or, if there is more than
15 one justice of the peace of a township, a justice of the peace
16 designated by mutual consent of the other justices of the peace of
17 that township, shall submit to the Court Administrator a written
18 report of the statistical information required pursuant to ~~[this section~~
19 ~~and such other]~~ *the uniform system for collecting and compiling*
20 *statistical information [as] regarding the State Court System which*
21 *is* prescribed by the Supreme Court. ~~[The report must include,~~
22 ~~without limitation, statistical information concerning:~~

- 23 — 1. ~~Those cases which are pending and undecided and the~~
24 ~~justice of the peace to whom each case has been assigned;~~
25 — 2. ~~The type and number of cases each justice of the peace~~
26 ~~considered during the preceding month;~~
27 — 3. ~~The number of cases submitted to each justice of the peace~~
28 ~~during the preceding month;~~
29 — 4. ~~The number of cases decided by each justice of the peace~~
30 ~~during the preceding month; and~~
31 — 5. ~~The number of full judicial days in which each justice of the~~
32 ~~peace appeared in court or in chambers in performance of his or her~~
33 ~~duties during the preceding month.]~~

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

35 4.230 ~~[+]~~ Every justice must keep a docket, *by conventional*
36 *or electronic means*, in which the justice must enter:

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

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

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

43 ~~[(d)]~~ 4. The time when the parties, or either of them, appear, or
44 their nonappearance, if default be made; a minute of the pleadings



1 and motions; if in writing, referring to them; if not in writing, a
2 concise statement of the material parts of the pleading.

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

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

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

10 ~~[(h)]~~ 8. The verdict of the jury, and when received; if the jury
11 disagree and are discharged, the fact of such disagreement and
12 discharge.

13 ~~[(i)]~~ 9. The judgment of the court, specifying the costs
14 included, and the time when rendered.

15 ~~[(j)]~~ 10. The issuing of the execution, when issued and to
16 whom; the renewals thereof, if any, and when made, and a statement
17 of any money paid to the justice, when and by whom.

18 ~~[(k)]~~ 11. The receipt of a notice of appeal, if any be given, and
19 of the appeal bond, if any be filed.

20 ~~[2. The Court Administrator shall prescribe the form of the
21 docket and of any other appropriate records to be kept by the justice,
22 which form may vary from court to court according to the number
23 and kind of cases customarily heard.]~~

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

25 5.045 In the time and manner prescribed by the Supreme
26 Court, the municipal judge of a city or, if there is more than one
27 municipal judge for a city, a municipal judge designated by mutual
28 consent of the other municipal judges of that city, shall submit to the
29 Court Administrator a written report of the statistical information
30 required pursuant to ~~[this section and such other]~~ *the uniform*
31 *system for collecting and compiling* statistical information ~~[as]~~
32 *regarding the State Court System which is* prescribed by the
33 Supreme Court. ~~[The report must include, without limitation,
34 statistical information concerning:~~

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

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

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

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

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



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

6.090 1. ~~{To constitute a regular panel of trial jurors for the district court in a county in which the board of county commissioners selects jurors on an annual basis, such number of names as the district judge may direct must be drawn from the jury box. The district judge shall make and file with the county clerk an order that a regular panel of trial jurors be drawn, and the number of jurors to be drawn must be named in the order. The drawing must take place in the office of the county clerk, during regular office hours, in the presence of all persons who may choose to witness it. The panel must be drawn by the district judge and clerk, or, if the district judge so directs, by any one of the county commissioners of the county and the clerk. If the district judge directs that the panel be drawn by one of the county commissioners of the county and the clerk, the district judge shall make and file with the clerk an order designating the name of the county commissioner and fixing the number of names to be drawn as trial jurors and the time at which the persons whose names are so drawn are required to attend in court.~~

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

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

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

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

~~3.] Whenever trial jurors are selected by a jury commissioner, the district judge may direct the jury commissioner to summon and assign to that court the number of qualified jurors the jury commissioner determines to be necessary for the formation of the petit jury. The jurors may be selected by computer whenever~~



1 procedures to assure random selection from computerized lists have
2 been established by the jury commissioner.

3 ~~[4.]~~ 2. Every person named in the venire must be served by the
4 sheriff personally or by the sheriff or the jury commissioner by
5 mailing a summons to the person, commanding the person to attend
6 as a juror at a time and place designated therein. Mileage is allowed
7 only for personal service. The postage must be paid by the sheriff or
8 the jury commissioner, as the case may be, and allowed him or her
9 as other claims against the county. The sheriff shall make return of
10 the venire at least the day before the day named for their
11 appearance, after which the venire is subject to inspection by any
12 officer or attorney of the court.

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

14 6.150 1. Each person summoned to attend as a grand juror or
15 a trial juror in the district court or justice court is entitled to a fee of
16 \$40 for each day after the second day of jury selection that the
17 person is in attendance in response to the venire or summons,
18 including Sundays and holidays.

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

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

27 4. Each person summoned to attend as a grand juror or a trial
28 juror in the district court or justice court and each grand juror and
29 trial juror in the district court or justice court is entitled to receive
30 36.5 cents a mile for each mile necessarily and actually traveled if
31 the home of the person summoned or serving as a juror is 30 miles
32 or more from the place of trial.

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

39 6. In civil cases, any fee, per diem allowance, travel expense or
40 other compensation due each juror engaged in the trial of the cause
41 must be paid each day in advance to the clerk of the court, or the
42 justice of the peace, by the party who has demanded the jury. If the
43 party paying this money is the prevailing party, the money is
44 recoverable as costs from the losing party. If the jury from any cause
45 is discharged in a civil action without finding a verdict and the party



1 who demands the jury subsequently obtains judgment, the money so
2 paid is recoverable as costs from the losing party.

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

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

10 6.160 The ~~{county}~~ *clerk of the court* in cases in the district
11 court and the deputy clerk of the justice court in cases in the justice
12 court shall keep a payroll, enrolling thereon the names of all jurors,
13 the number of days in attendance and the actual number of miles
14 traveled by the shortest and most practical route in going to and
15 returning from the place where the court is held, and at the
16 conclusion of a trial may:

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

20 2. Make an immediate payment in cash of the amount owing to
21 each juror.

22 ➔ These payments must be made from and to the extent allowed by
23 the fees collected from the demanding party, pursuant to the
24 provisions of NRS 6.150, and from and to the extent allowed by any
25 other fees which have been collected pursuant to law. The clerk
26 shall obtain from each juror so paid a receipt signed by him or her
27 and indicating the date of payment, the date of service and the
28 amount paid. A duplicate of this receipt must be immediately
29 delivered to the appropriate county auditor, county recorder or
30 county comptroller.

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

33 **Sec. 15.** *As used in this chapter, unless the context otherwise*
34 *requires, the words and terms defined in NRS 19.010 and section*
35 *16 of this act have the meanings ascribed to them in those*
36 *sections.*

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

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

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



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

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

| | | |
|----|---|---------|
| 6 | On the commencement of any action or proceeding | |
| 7 | in the district court, or on the transfer of any | |
| 8 | action or proceeding from a district court of | |
| 9 | another county, except probate or guardianship | |
| 10 | proceedings, to be paid by the party | |
| 11 | commencing the action, proceeding or transfer | \$56.00 |
| 12 | On an appeal to the district court of any case from a | |
| 13 | justice court or a municipal court, or on the | |
| 14 | transfer of any case from a justice court or a | |
| 15 | municipal court..... | 42.00 |
| 16 | On the filing of a petition for letters testamentary, | |
| 17 | letters of administration, setting aside an estate | |
| 18 | without administration, or a guardianship, which | |
| 19 | fee includes the court fee prescribed by NRS | |
| 20 | 19.020, to be paid by the petitioner: | |
| 21 | Where the stated value of the estate is more | |
| 22 | than \$2,500 | 72.00 |
| 23 | Where the stated value of the estate is \$2,500 | |
| 24 | or less, no fee may be charged or | |
| 25 | collected. | |
| 26 | On the filing of a petition to contest any will or | |
| 27 | codicil, to be paid by the petitioner | 44.00 |
| 28 | On the filing of an objection or cross-petition to the | |
| 29 | appointment of an executor, administrator or | |
| 30 | guardian, or an objection to the settlement of | |
| 31 | account or any answer in an estate or | |
| 32 | guardianship matter | 44.00 |
| 33 | On the appearance of any defendant or any number | |
| 34 | of defendants answering jointly, to be paid upon | |
| 35 | the filing of the first paper in the action by the | |
| 36 | defendant or defendants | 44.00 |
| 37 | For filing a notice of appeal..... | 24.00 |
| 38 | For issuing a transcript of judgment and certifying | |
| 39 | thereto..... | 3.00 |
| 40 | For preparing any copy of any record, proceeding | |
| 41 | or paper, for each page, unless such fee is | |
| 42 | waived by the county clerk <i>or clerk of the court</i> | 0.50 |
| 43 | For each certificate of the clerk, under the seal of | |
| 44 | the court..... | 3.00 |



| | | |
|----|---|--------|
| 1 | For examining and certifying to a copy of any | |
| 2 | paper, record or proceeding prepared by another | |
| 3 | and presented for a certificate of the county | |
| 4 | clerk <i>or clerk of the court</i> | \$5.00 |
| 5 | For filing all papers not otherwise provided for, | |
| 6 | other than papers filed in actions and | |
| 7 | proceedings in court and papers filed by public | |
| 8 | officers in their official capacity | 15.00 |
| 9 | For issuing any certificate under seal, not otherwise | |
| 10 | provided for | 6.00 |
| 11 | For searching records or files in the office of the | |
| 12 | county clerk ⚖ <i>or clerk of the court</i> , for each | |
| 13 | year, unless such fee is waived by the county | |
| 14 | clerk <i>or clerk of the court, as applicable</i> | 0.50 |
| 15 | For filing and recording a bond of a notary public, | |
| 16 | per name | 15.00 |
| 17 | For entering the name of a firm or corporation in | |
| 18 | the register of the county clerk | 20.00 |

19

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

27 3. Except as otherwise provided by specific statute, all fees
28 prescribed in this section are payable in advance if demanded by the
29 county clerk **⚖** *or clerk of the court, as applicable*.

30 4. The fees set forth in subsection 1 are payment in full for all
31 services rendered by the county clerk *or clerk of the court, as*
32 *applicable*, in the case for which the fees are paid, including the
33 preparation of the judgment roll, but the fees do not include
34 payment for typing, copying, certifying or exemplifying or
35 authenticating copies.

36 5. No fee may be charged to any attorney at law admitted to
37 practice in this State for searching records or files in the office of the
38 clerk. No fee may be charged for any services rendered to a
39 defendant or the defendant's attorney in any criminal case or in
40 habeas corpus proceedings.

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



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

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

2. On or before the first Monday of each month, the ~~[county]~~ clerk *of the court* shall pay over to the county treasurer an amount equal to \$32 per civil case commenced as provided in subsection 1, for the preceding calendar month, and the county treasurer shall place that money to the credit of the State *General* Fund. The county treasurer shall remit quarterly all such fees turned over to the county treasurer by the ~~[county]~~ clerk *of the court* to the State Controller to be placed by the State Controller in the State General Fund.

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

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

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

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

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

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

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

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

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



- 1 (e) On the commencement of an action defined as a
- 2 business matter pursuant to the local rules of practice and
- 3 on the answer or appearance of any party in any such
- 4 action or proceeding, to be paid by the party
- 5 commencing, answering or appearing in the action or
- 6 proceeding thereto.....\$1,359
- 7 (f) On the commencement of:
- 8 (1) An action for a constructional defect pursuant
- 9 to NRS 40.600 to 40.695, inclusive; or
- 10 (2) Any other action defined as “complex”
- 11 pursuant to the local rules of practice,
- 12 and on the answer or appearance of any party in any
- 13 such action or proceeding, to be paid by the party
- 14 commencing, answering or appearing in the action or
- 15 proceeding.....\$349
- 16 (g) On the filing of a third-party complaint, to be paid
- 17 by the filing party.....\$135
- 18 (h) On the filing of a motion to certify or decertify a
- 19 class, to be paid by the filing party\$349
- 20 (i) For the issuance of any writ of attachment, writ of
- 21 garnishment, writ of execution or any other writ designed
- 22 to enforce any judgment of the court\$10
- 23 2. Except as otherwise provided in subsection 4, fees collected
- 24 pursuant to this section must be deposited into a special account
- 25 administered by the county and maintained for the benefit of the
- 26 *district* court. The money in that account must be used only:
- 27 (a) To offset the costs for adding and maintaining new judicial
- 28 departments, including, without limitation, the cost for additional
- 29 staff;
- 30 (b) To reimburse the county for any capital costs incurred for
- 31 maintaining any judicial departments that are added by the 75th
- 32 Session of the Nevada Legislature; and
- 33 (c) If any money remains in the account in a fiscal year after
- 34 satisfying the purposes set forth in paragraphs (a) and (b), to:
- 35 (1) Acquire land on which to construct additional facilities
- 36 for the district court or a regional justice center that includes the
- 37 district court;
- 38 (2) Construct or acquire additional facilities for the district
- 39 court or a regional justice center that includes the district court;
- 40 (3) Renovate or remodel existing facilities for the district
- 41 court or a regional justice center that includes the district court;
- 42 (4) Acquire furniture, fixtures and equipment necessitated by
- 43 the construction or acquisition of additional facilities or the
- 44 renovation of an existing facility for the district court or a regional
- 45 justice center that includes the district court;



- 1 (5) Acquire advanced technology;
- 2 (6) Pay debt service on any bonds issued pursuant to
- 3 subsection 3 of NRS 350.020 for the acquisition of land or facilities
- 4 or the construction or renovation of facilities for the district court or
- 5 a regional justice center that includes the district court;
- 6 (7) In a county whose population is less than 100,000,
- 7 support court appointed special advocate programs for children, at
- 8 the discretion of the judges of the judicial district;
- 9 (8) In a county whose population is less than 100,000,
- 10 support legal services to the indigent and to be used by the
- 11 organization operating the program for legal services that receives
- 12 the fees charged pursuant to NRS 19.031 for the operation of
- 13 programs for the indigent; or
- 14 (9) Be carried forward to the next fiscal year.

15 3. Except as otherwise provided by specific statute, all fees
16 prescribed in this section are payable in advance if demanded by the
17 clerk of the court . ~~{for county clerk.}~~

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

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

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

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

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



1 2. In each county described in subsection 1, the [county] clerk
2 *of the court* shall, on the commencement of any action provided for
3 in chapter 125 of NRS, and on the filing of any answer or
4 appearance in any such action, charge and collect a fee of \$14 from
5 the party commencing or appearing in the action. These fees are in
6 addition to any other fees required by law.

7 3. On or before the first Monday of each month, the [county]
8 clerk *of the court* shall pay over to the county treasurer the amount
9 of all fees collected by the [county] clerk *of the court* pursuant to
10 subsections 1 and 2. Except as otherwise provided in subsection 5,
11 the county treasurer shall remit quarterly to the organization
12 operating the program for legal services all the money received by
13 the county treasurer from the [county] clerk *of the court*.

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

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

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

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

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

22 (1) Ten dollars for the benefit of indigent persons in the
23 county; and

24 (2) Four dollars for the benefit of elderly persons in the
25 county.

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

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

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

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

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

38 19.0312 1. Except as otherwise provided in subsection 2, in
39 addition to any other fee required by law, in each county that
40 charges a fee pursuant to NRS 19.031 to offset a portion of the costs
41 of providing legal services without a charge to indigent or elderly
42 persons, a board of county commissioners may impose by ordinance
43 a filing fee to offset a portion of the costs of providing pro bono
44 programs and of providing legal services without a charge to abused
45 or neglected children and victims of domestic violence to be



1 remitted to the organization operating the program for legal services
2 that receives the fees charged pursuant to NRS 19.031 for programs
3 for the indigent in an amount not to exceed:

4 (a) Ten dollars to be paid on the commencement of any civil
5 action or proceeding in the district court for which a filing fee is
6 required and on the filing of any answer or appearance in any such
7 action or proceeding for which a filing fee is required.

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

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

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

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

18 3. On or before the first Monday of each month, in a county in
19 which a fee has been imposed pursuant to subsection 1, the {county}
20 clerk *of the court* shall account for and pay over to the county
21 treasurer any such fees collected by the {county} clerk *of the court*
22 during the preceding month. The county treasurer shall remit
23 quarterly to the organization to which the fees are to be paid
24 pursuant to subsection 1 all the money received by the county
25 treasurer from the {county} clerk *of the court*.

26 4. Any fees collected pursuant to this section must be used for
27 the benefit of the persons to whom the organization operating the
28 program for legal services that receives money pursuant to this
29 section provides legal services without a charge.

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

31 19.0313 1. Except as otherwise provided in NRS 19.034, in a
32 county whose population is 100,000 or more, the {county} clerk *of*
33 *the court* shall, on the commencement of any civil action or
34 proceeding in the district court for which a filing fee is required, and
35 on the filing of any answer or appearance in any such action or
36 proceeding for which a filing fee is required, charge and collect not
37 less than \$5 but not more than \$10 from the party commencing,
38 answering or appearing in the action or proceeding. The fee required
39 pursuant to this section is in addition to any other fee required by
40 law.

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 the amount
43 of all fees collected by the {county} clerk *of the court* pursuant to
44 subsection 1 for use in the programs established in accordance with
45 NRS 3.500 and 244.1607.



1 3. Except as otherwise provided in NRS 19.034, the board of
2 county commissioners of any other county may impose by
3 ordinance an additional filing fee of not more than \$10 to be paid on
4 the commencement of any civil action or proceeding in the district
5 court for which a filing fee is required and on the filing of any
6 answer or appearance in any such action or proceeding for which a
7 filing fee is required. On or before the fifth day of each month, in a
8 county where this fee has been imposed, the [county] clerk *of the*
9 *court* shall account for and pay over to the county treasurer all fees
10 collected during the preceding month pursuant to this subsection for
11 credit to an account for dispute resolution in the county general
12 fund. The money in the account must be used only to support a
13 program established pursuant to NRS 3.500 or 244.1607.

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

15 19.0315 1. Except as otherwise provided in NRS 19.034, on
16 the commencement of any civil action or proceeding in the district
17 court for which a filing fee is required, and on the filing of any
18 answer or appearance in any such action or proceeding for which a
19 filing fee is required, a board of county commissioners may impose
20 by ordinance a filing fee in an amount not to exceed \$15 to offset a
21 portion of the costs of providing programs of alternative dispute
22 resolution on the party commencing, answering or appearing in the
23 action or proceeding. These fees are in addition to any other fee
24 required by law.

25 2. On or before the first Monday of each month, the [county]
26 clerk *of the court* shall pay over to the county treasurer the amount
27 of all fees collected by the [county] clerk *of the court* pursuant to
28 subsection 1 for credit to an account for court programs for
29 alternative dispute resolution in the county general fund. The money
30 in the account must be used only to support programs for the
31 arbitration of civil actions pursuant to NRS 38.250 and programs for
32 the resolution of disputes through the use of other alternative
33 methods of resolving disputes pursuant to NRS 38.258.

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

37 4. As used in this section, "alternative dispute resolution"
38 means alternative methods of resolving disputes, including, without
39 limitation, arbitration and mediation.

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

41 19.033 1. In each county, on the commencement of any
42 action for divorce in the district court, the [county] clerk *of the*
43 *court* shall charge and collect, in addition to other fees required by
44 law, a fee of \$20. The fee must be paid by the party commencing the
45 action.



1 2. On or before the first Monday of each month, the [county]
2 clerk *of the court* shall pay over to the county treasurer an amount
3 equal to all fees collected by the [county] clerk *of the court* pursuant
4 to subsection 1, and the county treasurer shall place that amount to
5 the credit of the State General Fund. Quarterly, the county treasurer
6 shall remit all money so collected to the State Controller, who shall
7 place the money in an account in the State General Fund for use by
8 the Director of the Department of Employment, Training and
9 Rehabilitation to administer the provisions of NRS 388.605 to
10 388.655, inclusive.

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

15 (a) On the appearance of a defendant in the action in the district
16 court, the [county] clerk [;} *of the court*, in addition to any other
17 fees provided by law, shall charge and collect from the defendant
18 the prescribed fee to be paid upon the filing of the first paper in the
19 action by the defendant.

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

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

24 19.034 If the agency which provides child welfare services, or
25 a child-placing agency licensed by the Division of Child and Family
26 Services of the Department of Health and Human Services pursuant
27 to chapter 127 of NRS, consents to the adoption of a child with
28 special needs pursuant to NRS 127.186, [a-county] *the clerk of the*
29 *court* shall reduce the total filing fee to not more than \$1 for filing
30 the petition to adopt such a child.

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

32 19.035 Notwithstanding any other provision of this chapter, [a
33 *county*] *the clerk of the court* shall neither charge nor collect any
34 fee for any service rendered by the [county] clerk *of the court* to:

- 35 1. The State of Nevada;
- 36 2. The county [of] *in* which he or she is [county] clerk [;} *of*
37 *the court*;
- 38 3. Any city or town within that county;
- 39 4. The school district of that county;
- 40 5. Any general improvement district which is located within
41 that county; or
- 42 6. Any officer of the State, that county or any such city, town,
43 school district or general improvement district in the officer's
44 official capacity.



1 **Sec. 27.** NRS 19.040 is hereby amended to read as follows:
2 19.040 ~~{+}~~ Every ~~{county}~~ clerk *of the court* shall publish
3 and set up *by conventional or electronic means*, in some
4 conspicuous place in his or her office *and on the Internet website of*
5 *the clerk of the court*, a table of fees according to this chapter for
6 the inspection of all persons who have business in the office of the
7 ~~{county clerk}~~.

8 ~~2. Any county clerk who fails to comply with the provisions of~~
9 ~~subsection 1 shall forfeit for each day of omission a sum not~~
10 ~~exceeding \$20, which, together with costs, may be recovered by any~~
11 ~~person in an action before a justice of the peace of the same county.]~~
12 *clerk of the court.*

13 **Sec. 28.** NRS 19.050 is hereby amended to read as follows:
14 19.050 Except as otherwise provided in subsection 8 of NRS
15 127.186, when by law any publication is required to be made by a
16 ~~{county}~~ clerk *of the court* of any suit, process, notice, order or
17 other paper, the cost of such publication shall, if demanded, be
18 tendered by the party to whom such order, process, notice or other
19 paper was granted before the ~~{county}~~ clerk *of the court* shall be
20 compelled to make publication thereof.

21 **Sec. 29.** NRS 19.060 is hereby amended to read as follows:
22 19.060 Except as otherwise provided by specific statute, all
23 fees prescribed in this chapter must be paid in advance, if
24 demanded. If ~~{any county}~~ a clerk *of the court* has not received any
25 or all of the fees which may be due for services rendered by the
26 ~~{county}~~ clerk *of the court* in any suit or proceeding, the ~~{county}~~
27 clerk *of the court* may have execution therefor in ~~{his or her own}~~
28 *the clerk's* name against the party or parties from whom they are
29 due, to be issued from the court where the action is pending, upon
30 the order of the judge or court upon affidavit filed.

31 **Sec. 30.** NRS 19.070 is hereby amended to read as follows:
32 19.070 A ~~{county}~~ clerk *of the court* shall not charge any fee
33 that is not authorized by law.

34 **Sec. 31.** NRS 19.080 is hereby amended to read as follows:
35 19.080 ~~{Each county}~~ *The* clerk *of the court* shall keep in his
36 or her office, open to public inspection, a fee book *or electronic*
37 *record* in which the ~~{county}~~ clerk *of the court* shall enter in detail
38 the fees charged with the title or the case number of the matter,
39 proceeding or action in which they were charged.

40 **Sec. 32.** NRS 19.090 is hereby amended to read as follows:
41 19.090 1. ~~{Each county}~~ *The* clerk *of the court* shall, on ~~{the~~
42 ~~first Monday in January, April, July and October,}~~ *or before the*
43 *15th day of each month*, make out and file with the *county official*
44 *designated by the* board of county commissioners a full and correct
45 statement under oath of all fees, percentage or compensation, of



1 whatever nature or kind, received in his or her official capacity
2 during the preceding ~~[3 months.]~~ *month*. In the statement, the
3 ~~[county]~~ clerk *of the court* shall set forth the cause in which and the
4 services for which such compensations were received.

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

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

10 19.110 ~~[If any county] The~~ clerk ~~[takes]~~ *of the court shall not*
11 *take* more or greater fees than are authorized by law. ~~[, the county~~
12 ~~clerk shall be liable to indictment, and on conviction shall be~~
13 ~~removed from office and fined in any sum not exceeding \$1,000.]~~

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

15 33.090 1. A person may register an order for protection
16 against domestic violence issued by the court of another state,
17 territory or Indian tribe within the United States by presenting a
18 certified copy of the order to the clerk of ~~[the]~~ *a court of competent*
19 *jurisdiction* in a judicial district in which the person believes that
20 enforcement may be necessary.

21 2. The clerk of the court shall:

22 (a) Maintain a record of each order registered pursuant to this
23 section;

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

27 (c) Forward, *by conventional or electronic means*, by the end of
28 the next business day, a copy of an order registered pursuant to this
29 section to the appropriate law enforcement agency which has
30 jurisdiction over the residence, school, child care facility or other
31 provider of child care, or place of employment of the protected party
32 or the child of the protected party; and

33 (d) Inform the protected party upon the successful transfer of
34 information concerning the registration to the Central Repository for
35 Nevada Records of Criminal History as required pursuant to
36 NRS 33.095.

37 3. The clerk of the court shall not:

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

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

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



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

2 41.260 There shall be no fee charged or collected by ~~any~~
3 ~~county~~ *the clerk of the court* for any proceeding under the
4 provisions of NRS 41.209 to 41.260, inclusive.

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

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

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

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

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

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

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

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

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



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

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

7 (b) An application for an extension on the ground that the
8 defendant is temporarily prevented from appearing before the court
9 because the defendant:

10 (1) Is ill;

11 (2) Is insane; or

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

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

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

18 178.509 1. If the defendant fails to appear when the
19 defendant's presence in court is lawfully required, the court shall not
20 exonerate the surety before the date of forfeiture prescribed in NRS
21 178.508 unless:

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

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

28 (1) Is dead;

29 (2) Is ill;

30 (3) Is insane;

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

32 (5) Has been deported,

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

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

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

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

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



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

2 178.512 1. The court shall not set aside a forfeiture unless:

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

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

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

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

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

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

24 ↳ and the court, upon hearing the matter, determines that one or
25 more of the grounds described in this subsection exist and that the
26 surety did not in any way cause or aid the absence of the defendant;
27 and

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

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

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

38 178.514 1. When a forfeiture has not been set aside, the court
39 shall on motion enter a judgment of default and execution may issue
40 thereon.

41 2. If ~~{the Office of Court Administrator has not received}~~ an
42 order setting aside a forfeiture *has not been entered* within 180 days
43 after the issuance of the order of forfeiture, ~~{the Court Administrator~~
44 ~~shall request that the court that ordered the forfeiture institute~~
45 ~~proceedings to enter a judgment of default with respect to the~~



1 ~~amount of the undertaking or money deposited instead of bail bond~~
2 ~~with the court. Not later than 30 days after receipt of the request~~
3 ~~from the Office of Court Administrator,] the court shall enter~~
4 judgment by default and commence execution proceedings therein.
5 3. By entering into a bond the obligors submit to the
6 jurisdiction of the court and irrevocably appoint the clerk of the
7 court as their agent upon whom any papers affecting their liability
8 may be served. Their liability may be enforced on motion and such
9 notice of the motion as the court prescribes may be served on the
10 clerk of the court, who shall forthwith mail copies to the obligors to
11 their last known addresses.
12 **Sec. 41.** NRS 2.260, 4.110, 4.200, 4.250, 4.330, 5.075, 6.050,
13 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.



