

CHAPTER.....

AN ACT relating to justices of the peace; requiring justices of the peace to have passed an examination prescribed by the Nevada Supreme Court in certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law prescribes the qualifications for a person to be a candidate for or be eligible to the office of justice of the peace, including, without limitation, the requirement that such a person have a high school diploma or its equivalent as determined by the State Board of Education. (NRS 4.010) **Section 1** of this bill additionally requires a justice of the peace who is not licensed or admitted to practice law in the courts of this State at the time of his or her election or appointment to pass an examination prescribed by the Nevada Supreme Court within 18 months after taking the official oath. **Section 1** requires that such an examination test the competency of the examinee’s knowledge on certain subject matters related to the duties of a justice of the peace.

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

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

**Section 1.** NRS 4.010 is hereby amended to read as follows:

4.010 1. A person may not be a candidate for or be eligible to the office of justice of the peace unless the person is a qualified elector and has never been removed or retired from any judicial office by the Commission on Judicial Discipline. For the purposes of this subsection, a person is eligible to be a candidate for the office of justice of the peace if a decision to remove or retire the person from a judicial office is pending appeal before the Supreme Court or has been overturned by the Supreme Court.

2. A justice of the peace must have a high school diploma or its equivalent as determined by the State Board of Education.

3. *In addition to any other requirement provided by law or a court rule, a justice of the peace who is not licensed or admitted to practice law in the courts of this State at the time of his or her election or appointment must pass an examination prescribed by the Nevada Supreme Court within 18 months after taking the official oath. The examination must test the competency of the examinee’s knowledge on subject matters related to the duties of a justice of the peace, including, without limitation:*

*(a) Judicial decorum;*



*(b) Application of the Revised Nevada Code of Judicial Conduct;*

*(c) Criminal and civil actions and proceedings over which a justice court has jurisdiction, including, without limitation, the issuance of temporary or extended orders for protection; and*

*(d) The financial administration of a court, including, without limitation, the minimum accounting standards of a justice court.*

4. In a county whose population is 100,000 or more, a justice of the peace in a township whose population is 100,000 or more must be an attorney who:

(a) Is licensed and admitted to practice law in the courts of this State at the time of his or her election or appointment; and

(b) Has been licensed and admitted to practice law in the courts of this State, another state or the District of Columbia for not less than 5 years at any time preceding his or her election or appointment.

~~[4.]~~ 5. Subsections 2 and ~~[3]~~ 4 do not apply to any person who held the office of justice of the peace on June 30, 2001.

**Sec. 2.** The amendatory provisions of this act do not apply to a justice of the peace who holds the office of justice of the peace on July 1, 2023.

**Sec. 3.** 1. This section becomes effective upon passage and approval.

2. Sections 1 and 2 of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2023, for all other purposes.

