

SENATE BILL NO. 63—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the Judicial Department of State Government. (BDR 1-435)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 the Judicial Department of State Government; making various changes relating to the policies and procedures of the Judicial Department; authorizing a judge to hold court by means of remote communication in certain circumstances; requiring the Nevada Supreme Court to prescribe certain policies and procedures relating to the Judicial Department by rule; authorizing a judge or justice of the peace to have a partner or associate who practices law in this State under certain circumstances; revising the duties of the Court Administrator; replacing the term “regulation” with “rule” for purposes of certain provisions of law relating to the Judicial Department; revising provisions relating to court interpreters; codifying in statute language from the Nevada Constitution relating to the expiration of the term of office for a justice appointed to fill a vacancy on the Nevada Supreme Court; revising provisions concerning the provision of certain resources to the Supreme Court and the district courts; providing that certain orders for protection issued in another state are not subject to certain requirements to be given full faith and credit in this State; repealing obsolete provisions relating to the Judicial Department; repealing various provisions relating to court seals, qualifications of certain employees and reports; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law requires various courts in this State to follow certain policies and
2 procedures. (Chapters 1-5 of NRS) **Section 1** of this bill replaces a requirement that
3 the telephone number for the office of each judge be published in a telephone
4 directory with a requirement that the contact information for the office of each
5 judge be made available to the public. (NRS 1.055)

6 Existing law authorizes a judge to issue an order directing that court be held at
7 a location other than the location at which the judge regularly holds court under
8 certain specific emergency circumstances. (NRS 1.070) **Section 2** of this bill
9 authorizes a judge to issue an order directing, instead, that court be held: (1) at any
10 other place or location other than the place or location at which the judge regularly
11 holds court under more generalized emergency circumstances; and (2) by means of
12 remote communication when necessary to promote the interest of justice. **Section 3**
13 of this bill makes a conforming change relating to the appearance of parties by
14 means of remote communication if a judge issues an order directing that court be
15 held remotely.

16 **Section 4** of this bill removes an obsolete prohibition against excluding a minor
17 who is a law student from a criminal trial.

18 Existing law authorizes: (1) the Nevada Supreme Court to adopt rules relating
19 to the electronic filing, storage and reproduction of documents filed with the court
20 of justice in this State; and (2) each court of justice to provide for such filing,
21 storage and documentation in accordance with the rules adopted by the Supreme
22 Court. (NRS 1.117) **Section 5** of this bill instead requires the Supreme Court to
23 adopt such rules and removes the explicit statutory authorization for other courts of
24 justice in this State to provide for such filing, storage and documentation in
25 accordance with such rules.

26 Existing law authorizes certain courts to conduct business on nonjudicial days
27 for the purpose of receiving telephone calls relating to the issuance of certain orders
28 for protection. (NRS 1.130) **Section 6** of this bill expands the purposes for which
29 such courts are authorized to transact business on nonjudicial days by authorizing
30 the courts to conduct business on nonjudicial days for the purposes of receiving any
31 electronic communication relating to the issuance of a temporary or emergency
32 order for protection. **Section 31** of this bill makes conforming changes related to
33 the granting of such an order.

34 Existing law requires each court of justice to have a seal and prescribes
35 requirements relating to the custody and use of such seals. (NRS 1.140-1.190)
36 **Section 37** of this bill repeals various provisions which prescribe requirements
37 relating to seals. **Section 7** of this bill instead requires: (1) each court of justice in
38 this State to have a seal; and (2) the Nevada Supreme Court to adopt rules relating
39 to the format, use and storage of such seals.

40 Existing law prescribes a procedure for disqualifying certain judges for actual
41 or implied bias or prejudice and requires any party to an action or proceeding
42 pending in certain courts who seeks to disqualify a judge for actual or implied bias
43 or prejudice to: (1) file an affidavit specifying the facts upon which the
44 disqualification is sought; and (2) if the party is represented by an attorney, have
45 the attorney of record file a certificate which states that the affidavit is filed in good
46 faith and not interposed for delay. (NRS 1.235) **Section 8** of this bill: (1) removes
47 the requirement that an attorney must file such a certificate and instead requires any
48 party, regardless of whether the party is represented by an attorney, to file an
49 affidavit that includes certain statements supporting the assertion that the affidavit
50 is filed in good faith.

51 Existing law prohibits a judge or justice of the peace from having a partner
52 acting as an attorney or counsel in any court in this State. (NRS 1.270) **Section 8.5**
53 of this bill additionally prohibits a judge or justice of the peace from having an



54 associate acting as an attorney under the same circumstances. **Section 8.5** creates
55 an exception to these prohibitions for part-time judges under certain circumstances.

56 Existing law requires the Nevada Supreme Court to appoint a Court
57 Administrator and prescribes the duties of the Court Administrator. (NRS 1.330,
58 1.360) **Section 9** of this bill removes from the duties of the Court Administrator the
59 duty to: (1) examine the condition of the dockets of the courts; and (2) make certain
60 recommendations relating to the assignment of district judges.

61 Existing law provides for the adoption of regulations by the Commission on
62 Judicial Selection, the Court Administrator, the Nevada Supreme Court and certain
63 chief judges or justices relating to the Judicial Department of State Government.
64 (NRS 1.400, 1.510, 1.520, 2.410, 3.025, 4.155, 4.157, 5.021) In general, existing
65 law requires regulations adopted by agencies of the Executive Department of the
66 State Government to be adopted through a rulemaking process. (Chapter 233B of
67 NRS) **Sections 10, 12-15, 25, 26, 28-30 and 32-34** of this bill replace the term
68 "regulation" with the term "rule" and make conforming changes related to this
69 change.

70 **Section 11** of this bill revises provisions governing the compensation of court
71 interpreters and translators.

72 Existing law requires the Chief Justice of the Nevada Supreme Court to appoint
73 a committee to provide certain advice relating to the certification or registration of
74 court interpreters. Existing law also prescribes the membership and duties of the
75 committee. (NRS 1.530) **Section 14** of this bill removes requirements relating to
76 the appointment of certain members of the committee. **Section 14** also: (1)
77 authorizes the chair of the committee to designate a vice chair of the committee;
78 and (2) revises the contents of the annual report the committee is required to submit
79 to the Legislature.

80 **Section 16** of this bill replaces certain requirements prescribed by existing law
81 relating to the process by which a person may petition the Court Administrator to
82 determine whether his or her criminal history will disqualify him or her from
83 obtaining a certificate or registration as a court interpreter with a requirement that
84 the Court Administrator adopt rules for this process.

85 Existing law codifies in statute certain provisions relating to the process set
86 forth in the Nevada Constitution regarding the filling of vacancies in the office of
87 justice of the Nevada Supreme Court. (Nev. Const. Art. 6, § 20; NRS 2.040)
88 **Section 17** of this bill additionally codifies in statute the date on which the term of
89 office for a justice appointed to fill a vacancy on the Court expires. **Section 18** of
90 this bill removes a requirement that certain rules adopted by the Court be published
91 and take effect within a prescribed period. (NRS 2.120)

92 **Sections 19 and 27** of this bill revise and modernize statutory language relating
93 to: (1) the circumstances under which certain courts may direct the sheriff of a
94 county to provide a place to conduct court; and (2) the resources a county is
95 required to provide upon receiving such a directive.

96 **Section 20** of this bill removes provisions relating to the use of a facsimile
97 signature by a justice of the Nevada Supreme Court and replaces those provisions
98 with a requirement that the Court provide by rule for the use of a digital or
99 electronic signature by each justice of the Court.

100 Existing law authorizes or requires the Nevada Supreme Court to employ
101 certain officers and employees. (NRS 2.200-2.310) **Section 24** of this bill revises
102 provisions relating to the employment by the Court of certain employees by: (1)
103 removing language authorizing a majority of justices of the Court to employ certain
104 persons; and (2) authorizing the Court to employ personnel necessary for the
105 operation, maintenance and improvement of the Court and the State Court System.

106 **Section 21** of this bill removes outdated language relating to the expiration of the
107 term of a person elected to the office of Clerk of the Nevada Supreme Court.

108 **Sections 22 and 23** of this bill remove language authorizing a majority of justices



109 to appoint and employ persons for the safety and security of the justices and
110 employees of the Nevada Supreme Court.

111 Existing law authorizes a court to issue certain orders for protection against
112 high-risk behavior. (NRS 33.500-33.670) Existing law additionally provides, under
113 certain circumstances, that an order for protection against domestic violence which
114 is issued by the court of another state, territory or Indian tribe within the United
115 States is valid and must be accorded full faith and credit and enforced by the courts
116 and law enforcement officers of this State as if it were issued by a court in this
117 State. (NRS 33.085) **Section 30.5** of this bill similarly requires an order for
118 protection against high-risk behavior which is issued by the court of another state,
119 territory or Indian tribe within the United States to be accorded full faith and credit
120 and enforced by the courts and law enforcement officers of this State.

121 Existing law requires five justices of the Nevada Supreme Court and each judge
122 of the Court of Appeals, other than the initial three judges, to be elected. (NRS
123 281.010) **Section 35** of this bill removes the references to: (1) the specific number
124 of justices on the Nevada Supreme Court; and (2) the initial judges appointed to the
125 Court of Appeals.

126 **Section 37** repeals various provisions of law relating to the Judicial
127 Department, including provisions relating to the seals of certain courts, the
128 qualifications of certain employees and the submission of certain reports.

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

1 **Section 1.** NRS 1.055 is hereby amended to read as follows:

2 1.055 ~~[A]~~ *The contact information for the office of each*
3 judge ~~[of any court of justice for]~~ *in* this State ~~[shall cause the~~
4 ~~telephone number of his or her office that is located within the court~~
5 ~~to]~~ *must be [published in the telephone directory that is provided]*
6 *made available* to the public . ~~[in the jurisdiction in which the court~~
7 ~~is located.]~~

8 **Sec. 2.** NRS 1.070 is hereby amended to read as follows:

9 1.070 1. A judge authorized to hold or preside at a court
10 appointed to be held in a city, precinct or town, may, by an order
11 filed with the county clerk and published as he or she may prescribe,
12 direct that the court be held or continued ~~[at]~~ :

13 (a) *At any other place or location* in the city or county than that
14 appointed, when ~~[war, pestilence, or other public calamity, or the~~
15 ~~dangers thereof, or the destruction of the building appointed for~~
16 ~~holding the court, may]~~ *emergency conditions which impair the*
17 *ability of the court to perform its basic functions* render it
18 necessary; ~~[and]~~ *or*

19 (b) *By means of remote communication when necessary to*
20 *promote the interest of justice.*

21 2. *A judge who directs that the court be held or continued at*
22 *another place or location pursuant to subsection 1* may, in the
23 same manner, revoke the order and, in his or her discretion, appoint



1 another place ~~[in the same city]~~ or ~~[county]~~ *location* for holding *or*
2 *continuing* the court.

3 **3.** *As used in this section, "remote communication" means*
4 *communication through telephone or videoconferencing.*

5 **Sec. 3.** NRS 1.080 is hereby amended to read as follows:

6 1.080 When the court is held at a place *or location* appointed
7 as provided in NRS 1.070, every person held to appear at the court
8 shall appear at the place *or location* so appointed.

9 **Sec. 4.** NRS 1.090 is hereby amended to read as follows:

10 1.090 The sitting of every court of justice ~~[shall]~~ *must* be
11 public except as otherwise provided by law, ~~[;]~~ but the judge of any
12 court may exclude any minor during any criminal trial therein
13 except ~~[such minor be on trial, or]~~ when *the minor is on trial or is*
14 *testifying as a witness .* ~~[, or when the minor shall be a law student~~
15 ~~preparing to apply for a license to practice law.]~~

16 **Sec. 5.** NRS 1.117 is hereby amended to read as follows:

17 1.117 ~~[;]~~ The Supreme Court ~~[may]~~ *shall* adopt rules not
18 inconsistent with the laws of this State to provide for the electronic
19 filing, storage and reproduction of documents filed with the courts
20 of justice.

21 ~~[2. If the Supreme Court adopts such rules, each court of~~
22 ~~justice may provide for the electronic filing, storage and~~
23 ~~reproduction of documents filed with the court in accordance with~~
24 ~~those rules.]~~

25 **Sec. 6.** NRS 1.130 is hereby amended to read as follows:

26 1.130 1. No court except a justice court or a municipal court
27 shall be opened nor shall any judicial business be transacted except
28 by a justice court or municipal court on Sunday, or on any day
29 declared to be a legal holiday according to the provisions of NRS
30 236.015, except for the following purposes:

31 (a) To give, upon their request, instructions to a jury then
32 deliberating on their verdict.

33 (b) To receive a verdict or discharge a jury.

34 (c) For the exercise of the power of a magistrate in a criminal
35 action or in a proceeding of a criminal nature.

36 (d) To receive *electronic* communications ~~[by telephone and~~
37 ~~for]~~ *related to* the issuance of:

38 (1) A temporary order pursuant to subsection 8 of NRS
39 33.020; or

40 (2) An emergency order for protection against high-risk
41 behavior pursuant to NRS 33.570.

42 (e) *For the issuance of any temporary or emergency order*
43 *listed in paragraph (d).*

44 (f) For the issue of a writ of attachment, which may be issued on
45 each and all of the days above enumerated upon the plaintiff, or



1 some person on behalf of the plaintiff, setting forth in the affidavit
2 required by law for obtaining the writ the additional averment as
3 follows:

4
5 That the affiant has good reason to believe, and does
6 believe, that it will be too late for the purpose of acquiring a
7 lien by the writ to wait until subsequent day for the issuance
8 of the same.
9

10 All proceedings instituted, and all writs issued, and all official acts
11 done on any of the days above specified, under and by virtue of this
12 section, shall have all the validity, force and effect of proceedings
13 commenced on other days, whether a lien be obtained or a levy
14 made under and by virtue of the writ.

15 2. Nothing herein contained shall affect private transactions of
16 any nature whatsoever.

17 3. *As used in this section, "electronic communication"*
18 *includes, without limitation, communication made by telephone,*
19 *wireless phone or electronic mail or through the use of an Internet*
20 *or network site.*

21 **Sec. 7.** NRS 1.140 is hereby amended to read as follows:

22 1.140 ~~{The Supreme Court, the Court of Appeals, the district~~
23 ~~courts, the justice courts and those municipal courts designated as~~
24 ~~courts of record pursuant to NRS 5.010}~~

25 1. *Each court of justice in this State* shall have a seal.

26 2. *The Supreme Court shall adopt rules relating to the format*
27 *of a seal required by subsection 1 and the use and storage of any*
28 *such seal.*

29 **Sec. 8.** NRS 1.235 is hereby amended to read as follows:

30 1.235 1. Any party to an action or proceeding pending in any
31 court other than the Supreme Court or the Court of Appeals, who
32 seeks to disqualify a judge for actual or implied bias or prejudice
33 must file an affidavit specifying the facts upon which the
34 disqualification is sought. The affidavit ~~{of a party represented by an~~
35 ~~attorney must be accompanied by a certificate of the attorney of~~
36 ~~record}~~ *must contain a statement* that the affidavit is filed in good
37 faith and *is* not ~~{interposed for delay.}~~ :

38 (a) *Interposed for delay;*

39 (b) *Intended to harass a judge; or*

40 (c) *Filed for the purpose of:*

41 (1) *Unnecessarily increasing the costs of litigation; or*

42 (2) *Attempting to prevent prosecution.*

43 2. Except as otherwise provided in subsections ~~{2}~~ 3 and ~~{3,}~~ 4
44 the affidavit must be filed:



1 (a) Not less than 20 days before the date set for trial or hearing
2 of the case; or

3 (b) Not less than 3 days before the date set for the hearing of any
4 pretrial matter.

5 ~~[2.]~~ 3. Except as otherwise provided in this subsection and
6 subsection ~~[3.]~~ 4, if a case is not assigned to a judge before the time
7 required under subsection ~~[H]~~ 2 for filing the affidavit, the affidavit
8 must be filed:

9 (a) Within 10 days after the party or the party's attorney is
10 notified that the case has been assigned to a judge;

11 (b) Before the hearing of any pretrial matter; or

12 (c) Before the jury is empaneled, evidence taken or any ruling
13 made in the trial or hearing,

14 ↪ whichever occurs first. If the facts upon which disqualification of
15 the judge is sought are not known to the party before the party is
16 notified of the assignment of the judge or before any pretrial hearing
17 is held, the affidavit may be filed not later than the commencement
18 of the trial or hearing of the case.

19 ~~[3.]~~ 4. If a case is reassigned to a new judge and the time for
20 filing the affidavit under subsection ~~[H]~~ 2 and paragraph (a) of
21 subsection ~~[2.]~~ 3 has expired, the parties have 10 days after notice of
22 the new assignment within which to file the affidavit, and the trial or
23 hearing of the case must be rescheduled for a date after the
24 expiration of the 10-day period unless the parties stipulate to an
25 earlier date.

26 ~~[4.]~~ 5. At the time the affidavit is filed, a copy must be served
27 upon the judge sought to be disqualified. Service must be made by
28 delivering the copy to the judge personally or by leaving it at the
29 judge's chambers with some person of suitable age and discretion
30 employed therein.

31 ~~[5.]~~ 6. Except as otherwise provided in subsection ~~[6.]~~ 7, the
32 judge against whom an affidavit alleging bias or prejudice is filed
33 shall proceed no further with the matter and shall:

34 (a) If the judge is a district judge, immediately transfer the case
35 to another department of the court, if there is more than one
36 department of the court in the district, or request the judge of
37 another district court to preside at the trial or hearing of the matter;

38 (b) If the judge is a justice of the peace, immediately arrange for
39 another justice of the peace to preside at the trial or hearing of the
40 matter as provided pursuant to NRS 4.032, 4.340 or 4.345, as
41 applicable; or

42 (c) If the judge is a municipal judge, immediately arrange for
43 another municipal judge to preside at the trial or hearing of the
44 matter as provided pursuant to NRS 5.023 or 5.024, as applicable.



1 ~~[6.]~~ 7. A judge may challenge an affidavit alleging bias or
2 prejudice by filing a written answer with the clerk of the court
3 within 5 judicial days after the affidavit is ~~[filed.]~~ *served*, admitting
4 or denying any or all of the allegations contained in the affidavit and
5 setting forth any additional facts which bear on the question of the
6 judge's disqualification. The question of the judge's disqualification
7 must thereupon be heard and determined by ~~[another judge agreed
8 upon by the parties or, if they are unable to agree, by]~~ a judge
9 appointed:

10 (a) If the judge is a district judge, by the presiding judge of the
11 judicial district in judicial districts having more than one judge, or if
12 the presiding judge of the judicial district is sought to be
13 disqualified, by the judge having the greatest number of years of
14 service;

15 (b) If the judge is a justice of the peace, by the presiding judge
16 of the justice court in justice courts having more than one justice of
17 the peace, or if the presiding judge is sought to be disqualified, by
18 the justice of the peace having the greatest number of years of
19 service;

20 (c) If the judge is a municipal judge, by the presiding judge of
21 the municipal court in municipal courts having more than one
22 municipal judge, or if the presiding judge is sought to be
23 disqualified, by the municipal judge having the greatest number of
24 years of service; or

25 (d) If there is no presiding judge, by the Supreme Court.

26 **Sec. 8.5.** NRS 1.270 is hereby amended to read as follows:

27 1.270 ~~[No]~~

28 1. *Except as otherwise provided in subsection 2, no* judge or
29 justice of the peace shall have a partner *or associate* acting as
30 attorney or counsel in any court in this State.

31 2. *A part-time judge may have a partner or associate who*
32 *practices law in this State if the partner or associate does not*
33 *engage in the practice of law before the part-time judge or in any*
34 *court subject to the appellate jurisdiction of a court in which the*
35 *part-time judge sits.*

36 **Sec. 9.** NRS 1.360 is hereby amended to read as follows:

37 1.360 Under the direction of the Supreme Court, the Court
38 Administrator shall:

39 1. Examine the administrative procedures employed in the
40 ~~[offices of the judges, clerks, court reporters and employees of all]~~
41 courts of this State and make recommendations ~~[, through the Chief~~
42 *Justice,]* for the improvement ~~[of those procedures;]~~ *thereof;*

43 2. ~~[Examine the condition of the dockets of the courts and~~
44 ~~determine the need for assistance by any court;~~



1 ~~—3. Make recommendations to and carry out the directions of the~~
2 ~~Chief Justice relating to the assignment of district judges where~~
3 ~~district courts are in need of assistance;~~

4 ~~—4.]~~ Develop a uniform system for collecting and compiling
5 statistics and other data regarding the operation of the State Court
6 System and transmit that information to the Supreme Court so that
7 proper action may be taken in respect thereto;

8 ~~[5.]~~ 3. Prepare and submit a budget of state appropriations
9 necessary for the maintenance, ~~[and]~~ operation *and improvement* of
10 the State Court System and make recommendations in respect
11 thereto;

12 ~~[6.]~~ 4. Develop procedures for accounting, internal auditing,
13 procurement and disbursement for the State Court System;

14 ~~[7.]~~ 5. Collect statistical and other data and make reports
15 relating to the expenditure of all public money for the maintenance
16 and operation of the State Court System and the offices connected
17 therewith;

18 ~~[8.]~~ 6. Compile statistics from the information required to be
19 maintained by the clerks of the district courts pursuant to NRS 3.275
20 regarding criminal and civil cases and make reports as to the cases
21 filed in the district courts;

22 ~~[9.]~~ 7. Formulate and submit to the Supreme Court
23 recommendations of policies or proposed legislation for the
24 improvement of the State Court System;

25 ~~[10.]~~ 8. On or before January 1 of each year, submit to the
26 Director of the Legislative Counsel Bureau a written report:

27 (a) Compiling the information submitted to the Court
28 Administrator pursuant to NRS 3.243, 4.175 and 5.045 during the
29 immediately preceding fiscal year; and

30 (b) Concerning:

31 (1) The distribution of money deposited in the special
32 account created ~~[by]~~ *pursuant to* NRS 176.0613 to assist with
33 funding and establishing specialty court programs;

34 (2) The current status of any specialty court programs to
35 which money from the account was allocated since the last report;

36 (3) Statistics compiled from information required to be
37 maintained by clerks of the district courts pursuant to NRS 3.275
38 concerning specialty courts, including, without limitation, the
39 number of participants in such programs, the nature of the criminal
40 charges that were filed against participants, the number of
41 participants who have completed the programs and the disposition
42 of the cases; and

43 (4) Such other related information as the Court Administrator
44 deems appropriate; and



1 ~~[[1]]~~ 9. Attend to such other matters as may be assigned by the
2 Supreme Court or prescribed by law.

3 **Sec. 10.** NRS 1.400 is hereby amended to read as follows:

4 1.400 The Commission on Judicial Selection may adopt
5 ~~[regulations]~~ *rules* for the operation of the Commission and for
6 maintaining the confidentiality of its proceedings and records.

7 **Sec. 11.** NRS 1.500 is hereby amended to read as follows:

8 1.500 Interpreters and translators shall receive such fees as the
9 court ~~[by whom they are employed shall certify to be just.]~~
10 *determines are reasonable and necessary.*

11 **Sec. 12.** NRS 1.510 is hereby amended to read as follows:

12 1.510 1. ~~[The]~~ *Subject to the limits of legislative*
13 *appropriation, the* Court Administrator shall, with the advice of the
14 committee established pursuant to NRS 1.530, adopt ~~[regulations~~
15 ~~which, subject to the availability of funding, establish]~~ *rules*
16 *establishing* a program for the certification or registration of court
17 interpreters for persons with limited English proficiency who are
18 witnesses, defendants and litigants.

19 2. The ~~[regulations established]~~ *rules adopted* pursuant to
20 subsection 1 must set forth:

21 (a) The specific languages for which court interpreters may
22 obtain certification or registration . ~~[- based upon the need for~~
23 ~~interpreters of those languages.]~~

24 (b) Any examination and the qualifications which are required
25 for:

26 (1) Certification or registration; and

27 (2) Renewal of the certification or registration.

28 (c) The circumstances under which the Court Administrator will
29 deny, suspend or refuse to renew a certificate or registration.

30 (d) The circumstances under which the Court Administrator will
31 take disciplinary action against a certified or registered court
32 interpreter.

33 (e) The circumstances under which a court or juvenile court
34 must proceed if a certified or registered interpreter is not available.

35 (f) Except as otherwise provided in NRS 50.050, the rate and
36 source of the compensation to be paid for services provided by a
37 certified or registered court interpreter.

38 3. An application for a certificate or registration as a court
39 interpreter pursuant to subsection 1 must include the social security
40 number of the applicant.

41 4. Every applicant for certification or registration as a court
42 interpreter pursuant to subsection 1 must submit with his or her
43 application:

44 (a) A complete set of his or her fingerprints; and



1 (b) Written permission authorizing the Court Administrator to
2 forward the fingerprints to the Central Repository for Nevada
3 Records of Criminal History for its initial report on the criminal
4 history of the applicant and for reports thereafter upon renewal of
5 the certification or registration, and for submission to the Federal
6 Bureau of Investigation for its report on the criminal history of the
7 applicant.

8 5. Except as otherwise provided by a specific ~~regulation~~ rule
9 of the Court Administrator, it is grounds for disciplinary action for a
10 certified or registered court interpreter to act as interpreter in any
11 action in which:

12 (a) The spouse of the court interpreter is a party;

13 (b) A party or witness is otherwise related to the court
14 interpreter;

15 (c) The court interpreter is biased for or against one of the
16 parties; or

17 (d) The court interpreter otherwise has an interest in the
18 outcome of the proceeding.

19 6. As used in this section, "person with limited English
20 proficiency" means a person who speaks a language other than
21 English and who cannot readily understand or communicate in the
22 English language.

23 **Sec. 13.** NRS 1.520 is hereby amended to read as follows:

24 1.520 The Court Administrator may:

25 1. With the advice of the committee established pursuant to
26 NRS 1.530, adopt any ~~regulations~~ rules necessary to carry out a
27 program for the certification ~~and~~ or registration of court
28 interpreters ~~as established pursuant to NRS 1.510.~~

29 2. Impose on a certified or registered court interpreter:

30 (a) Any fees necessary to reimburse the Court Administrator for
31 the cost of administering the program; and

32 (b) A fine for any violation of a ~~regulation~~ rule of the Court
33 Administrator adopted pursuant to this section or NRS 1.510.

34 **Sec. 14.** NRS 1.530 is hereby amended to read as follows:

35 1.530 1. The Chief Justice shall appoint, from a list of
36 recommendations submitted ~~to the Chief Justice~~ by the Court
37 Administrator, a committee to advise the Court Administrator
38 regarding *the* adoption of ~~regulations~~ rules pursuant to NRS 1.510
39 and 1.520. The committee must consist of:

40 (a) A district judge;

41 (b) A justice of the peace or municipal judge ; ~~in a county~~
42 ~~whose population is less than 100,000;~~

43 (c) An administrator of a district court;

44 (d) An administrator of a justice court or municipal court ; ~~in a~~
45 ~~county whose population is less than 100,000;~~



- 1 (e) A representative of the Nevada System of Higher Education;
- 2 (f) A representative of a nonprofit organization ~~for~~ *which*
- 3 *serves* persons who speak a language other than English;
- 4 (g) A person certified to act as an interpreter for a court of this
- 5 State or a federal court;
- 6 (h) A person certified to act as an interpreter for a court of this
- 7 State in the Spanish language; and
- 8 (i) A person certified or registered to act as an interpreter for a
- 9 court of this State in a language other than Spanish.

10 2. The Court Administrator is ex officio chair of the committee

11 ~~for~~ *and may designate another member of the committee to serve as*

12 *the vice chair of the committee.*

13 3. Members of the committee shall serve in that capacity

14 without any additional compensation.

15 4. The committee shall submit an annual report to the Chief

16 Justice and to the Director of the Legislative Counsel Bureau for

17 transmittal to the Legislature and make the annual report available

18 to the public. The annual report must contain, without limitation:

19 (a) A summary of the activities of the committee during the

20 immediately preceding ~~fiscal~~ year, including any ~~development of~~

21 ~~recommendations for~~ revisions to the Nevada State Court Language

22 Access Plan adopted by the Nevada Certified Court Interpreter

23 Program as established pursuant to NRS 1.510; and

24 (b) Statistical information concerning the usage of court

25 interpreters ~~for~~ *in courts of this State for persons with limited*

26 *English proficiency*, including, without limitation, information on

27 the usage of ~~certified~~ :

28 (1) *Certified* and registered court interpreters ; and ~~the~~

29 ~~demand for court interpreters for persons with limited English~~

30 ~~proficiency in courts of this State.~~

31 (2) *Court interpreters who are not certified or registered*

32 *when a certified or registered court interpreter is not available.*

33 5. *As used in this section, "person with limited English*

34 *proficiency" has the meaning ascribed to it in NRS 1.510.*

35 **Sec. 15.** NRS 1.540 is hereby amended to read as follows:

36 1.540 1. It is unlawful for a person to act as a certified or

37 registered court interpreter or advertise or put out any sign or card or

38 other device which might indicate to the public that the person is

39 entitled to practice as a certified or registered court interpreter

40 without a certificate or registration as an interpreter issued by the

41 Court Administrator pursuant to NRS 1.510 and 1.520.

42 2. No civil action may be instituted, nor recovery therein be

43 had, for a violation of the provisions of this section or NRS 1.510 or

44 1.520 or a violation of a ~~regulation~~ *rule* adopted by the Court

45 Administrator pursuant to NRS 1.510 or 1.520.



1 **Sec. 16.** NRS 1.545 is hereby amended to read as follows:

2 1.545 1. The Court Administrator shall ~~{develop and~~
3 ~~implement a}~~ *adopt rules prescribing the* process by which a person
4 with a criminal history may petition the Court Administrator to
5 review the criminal history of the person to determine if the person's
6 criminal history will disqualify the person from obtaining a
7 certificate or registration as a court interpreter pursuant to
8 NRS 1.510.

9 2. ~~{Not later than 90 days after a petition is submitted to the~~
10 ~~Court Administrator pursuant to subsection 1, the Court~~
11 ~~Administrator shall inform the person of the determination of the~~
12 ~~Court Administrator of whether the person's criminal history will~~
13 ~~disqualify the person from obtaining a certificate or registration. The~~
14 ~~Court Administrator is not bound by his or her determination of~~
15 ~~disqualification or qualification and may rescind such a~~
16 ~~determination at any time.~~

17 ~~3. The Court Administrator may provide instructions to a~~
18 ~~person who receives a determination of disqualification to remedy~~
19 ~~the determination of disqualification. A person may resubmit a~~
20 ~~petition pursuant to subsection 1 not earlier than 6 months after~~
21 ~~receiving instructions pursuant to this subsection if the person~~
22 ~~remedies the determination of disqualification.~~

23 ~~4. A person with a criminal history may petition the Court~~
24 ~~Administrator at any time, including, without limitation, before~~
25 ~~obtaining any education or paying any fee required to obtain a~~
26 ~~certificate or registration.~~

27 ~~5. A person may submit a new petition to the Court~~
28 ~~Administrator not earlier than 2 years after the final determination~~
29 ~~of the initial petition submitted to the Court Administrator.~~

30 ~~6.}~~ The Court Administrator may ~~{impose}~~ *adopt rules*
31 *establishing* a fee of up to \$50 upon the person to fund the
32 administrative costs in complying with the provisions of this
33 section. ~~{The Court Administrator may waive such fees or allow~~
34 ~~such fees to be covered by funds from a scholarship or grant.~~

35 ~~7. The Court Administrator may post on its Internet website:~~

36 ~~(a) The requirements to obtain a certification or registration as a~~
37 ~~court interpreter; and~~

38 ~~(b) A list of crimes, if any, that would disqualify a person from~~
39 ~~obtaining a certification or registration as a court interpreter from~~
40 ~~the Court Administrator.~~

41 ~~8. The Court Administrator may request the criminal history~~
42 ~~record of a person who petitions the Court Administrator for a~~
43 ~~determination pursuant to subsection 1. To the extent consistent~~
44 ~~with federal law, if the Court Administrator makes such a request of~~



1 a person, the Court Administrator shall require the person to submit
2 his or her criminal history record which includes a report from:

3 ~~—(a) The Central Repository for Nevada Records of Criminal
4 History; and~~

5 ~~—(b) The Federal Bureau of Investigation;~~

6 ~~—9. A person who petitions the Court Administrator for a
7 determination pursuant to subsection 1 shall not submit false or
8 misleading information to the Court Administrator.~~

9 ~~—10. The Court Administrator shall, on or before the 20th day of
10 January, April, July and October, submit to the Director of the
11 Legislative Counsel Bureau in an electronic format prescribed by
12 the Director, a report that includes:~~

13 ~~—(a) The number of petitions submitted to the Court
14 Administrator pursuant to subsection 1;~~

15 ~~—(b) The number of determinations of disqualification made by
16 the Court Administrator pursuant to subsection 1;~~

17 ~~—(c) The reasons for such determinations; and~~

18 ~~—(d) Any other information that is requested by the Director or
19 which the Court Administrator determines would be helpful.~~

20 ~~—11. The Director shall transmit a compilation of the
21 information received pursuant to subsection 10 to the Legislative
22 Commission quarterly, unless otherwise directed by the
23 Commission.]~~

24 **Sec. 17.** NRS 2.040 is hereby amended to read as follows:

25 2.040 Whenever any vacancy ~~[shall occur]~~ **occurs** in the office
26 of justice of the Supreme Court, the Governor shall fill the same by
27 granting a commission ~~[]~~ **to a candidate put forth by the**
28 **Commission on Judicial Selection,** which ~~[shall expire at]~~ **expires**
29 **on the first Monday of January following** the next general election
30 by the people and upon the qualification of his or her successor, at
31 which election a justice ~~[shall]~~ **must** be chosen for the balance of the
32 unexpired term.

33 **Sec. 18.** NRS 2.120 is hereby amended to read as follows:

34 2.120 1. The Supreme Court may make rules not inconsistent
35 with the Constitution and laws of the State for its own government,
36 the government of the district courts, and the government of the
37 State Bar of Nevada. Such rules shall be published promptly upon
38 adoption and take effect on a date specified by the Supreme Court .
39 ~~[which in no event shall be less than 30 days after entry of an order
40 adopting such rules.]~~

41 2. The Supreme Court, by rules adopted and published from
42 time to time, shall regulate original and appellate civil practice and
43 procedure, including, without limitation, pleadings, motions, writs,
44 notices and forms of process, in judicial proceedings in all courts of
45 the State, for the purpose of simplifying the same and of promoting



1 the speedy determination of litigation upon its merits. Such rules
2 shall not abridge, enlarge or modify any substantive right and shall
3 not be inconsistent with the Constitution of the State of Nevada.
4 Such rules shall be published promptly upon adoption and take
5 effect on a date specified by the Supreme Court . ~~[which in no event
6 shall be less than 60 days after entry of an order adopting such
7 rules.]~~

8 **Sec. 19.** NRS 2.150 is hereby amended to read as follows:

9 2.150 If ~~[a room in which to hold the court, together with
10 attendants, fuel, lights and stationery, suitable and sufficient for the
11 transaction of business, is]~~ *an appropriate facility and any
12 necessary staff, materials and technological resources* are not
13 provided by the State, the Court may ~~[direct]~~ *order* the ~~[sheriff of
14 any county where the session is held]~~ *State* to provide ~~[a room,
15 attendants, fuel, lights and stationery,]~~ *an appropriate facility and
16 any staff, materials and technological resources reasonably
17 necessary for the transaction of the business of the Court,* and the
18 expenses must be paid out of the State Treasury.

19 **Sec. 20.** NRS 2.195 is hereby amended to read as follows:

20 2.195 ~~[1. — Each justice of the]~~ *The* Supreme Court ~~[may use a
21 facsimile]~~ *shall provide by rule for the use of a digital signature or
22 electronic* signature ~~[produced through a mechanical device in place
23 of the justice's handwritten signature whenever the necessity arises
24 and upon approval]~~ *by each justice* of the Supreme Court . ~~[, subject
25 to the following conditions:~~

26 —(a) ~~That the mechanical device must be of such a nature that the
27 facsimile signature may be removed from the mechanical device and
28 kept in a separate secure place.~~

29 —(b) ~~That the use of the facsimile signature may be made only
30 under the direction and supervision of the justice whose signature it
31 represents.~~

32 —(c) ~~That the entire mechanical device must at all times be kept in
33 a vault, securely locked, when not in use, to prevent any misuse of
34 the device.~~

35 —2. ~~No facsimile signature produced through a mechanical
36 device authorized by the provisions of this section may be combined
37 with the signature of another officer.]~~

38 **Sec. 21.** NRS 2.200 is hereby amended to read as follows:

39 2.200 ~~[1.]~~ The Supreme Court shall appoint a Clerk of the
40 Supreme Court ~~;~~ *but any person elected to the office of Clerk of the
41 Supreme Court before July 1, 1957, shall continue to hold such
42 office until the expiration of the term for which he or she may have
43 been elected.*

44 —2. ~~The Clerk of the Supreme Court shall hold office and be
45 removable]~~ *who serves* at the pleasure of the Supreme Court.



1 **Sec. 22.** NRS 2.290 is hereby amended to read as follows:

2 2.290 The Supreme Court ~~[, or a majority thereof,]~~ is
3 authorized to designate any person appointed and employed
4 pursuant to NRS 2.295 to act as Bailiff of the Supreme Court.

5 **Sec. 23.** NRS 2.295 is hereby amended to read as follows:

6 2.295 The Supreme Court ~~[, or a majority thereof,]~~ is
7 authorized to appoint and employ one or more persons to provide
8 for the safety and security of the justices and employees of the
9 Supreme Court and to carry out any necessary police duties at the
10 direction of the Chief Justice to maintain safe and reasonable access
11 to justice for residents of Nevada.

12 **Sec. 24.** NRS 2.300 is hereby amended to read as follows:

13 2.300 The Supreme Court ~~[, or a majority thereof,]~~ is
14 authorized to employ ~~[stenographic clerks, law clerks, legal
15 assistants, legal secretaries and other]~~ necessary employees ~~[within
16 the limits of the appropriation made for the support of the Supreme
17 Court.]~~ *for the operation, maintenance and improvement of the
18 Court and the State Court System.*

19 **Sec. 25.** NRS 2.410 is hereby amended to read as follows:

20 2.410 The Supreme Court Law Library ~~[shall]~~ *must* be under
21 the supervision and control of the Supreme Court, which may make
22 and enforce such rules ~~[and regulations]~~ as may be necessary for the
23 government, use and services of the Library. Such rules ~~[or
24 regulations shall]~~ *must* assure that the Library is accessible for
25 public use and to users in all parts of the State.

26 **Sec. 26.** NRS 3.025 is hereby amended to read as follows:

27 3.025 1. In each judicial district that includes a county whose
28 population is 100,000 or more, the district judges of that judicial
29 district shall choose from among those district judges a Chief Judge
30 who is to be the presiding judge of the judicial district.

31 2. The Chief Judge shall:

32 (a) Assign cases to each judge in the judicial district;
33 (b) Prescribe the hours of court;
34 (c) Adopt such other rules ~~[or regulations]~~ as are necessary for
35 the orderly conduct of court business; and

36 (d) Perform all other duties of the Chief Judge or of a presiding
37 judge that are set forth in this chapter and any other provision of
38 NRS.

39 3. If a case involves a matter within the jurisdiction of the
40 family court and:

41 (a) The parties to the case are also the parties in any other
42 pending case or were the parties in any other previously decided
43 case assigned to a department of the family court in the judicial
44 district; or



(b) A child involved in the case is also involved in any other pending case or was involved in any other previously decided case assigned to a department of the family court in the judicial district, other than a case within the jurisdiction of the juvenile court pursuant to title 5 of NRS,

↳ the Chief Judge shall assign the case to the department of the family court to which the other case is presently assigned or, if the other case has been decided, to the department of the family court that decided the other case, unless a different assignment is required by another provision of NRS, a court rule or the Revised Nevada Code of Judicial Conduct or the Chief Judge determines that a different assignment is necessary because of considerations related to the management of the caseload of the district judges within the judicial district. If a case described in this subsection is heard initially by a master, the recommendation, report or order of the master must be submitted to the district judge of the department of the family court to which the case has been assigned pursuant to this subsection for consideration and decision by that district judge.

Sec. 27. NRS 3.100 is hereby amended to read as follows:

3.100 1. Except as otherwise provided in this subsection, the district courts shall hold court at the county seat of their respective counties. The board of county commissioners may establish one or more additional locations within the county for the district court to hold court.

2. ~~[If a room for holding court at the county seat is not provided by the county, together with attendants, fuel, lights and stationery, suitable and sufficient for the transaction of business, the court may direct the sheriff to provide such room, attendants, fuel, lights and stationery.]~~ *The board of county commissioners shall:*

(a) Provide and furnish an appropriate facility for the transaction of the business of the court; and [the expenses thereof shall be a county charge.]

(b) Appropriate a budget to the district court which includes, without limitation, money for the payment of expenses which are reasonable and necessary to carry out the powers and duties of the district court in the administration of justice.

3. ~~[An office at each county seat must be provided and furnished by and at the expense of the several counties for the several district judges. Whenever the county commissioners of any county neglect or refuse to provide and furnish such an office for the use of the district judge, the district judge may make an order, which must be entered upon the minutes of the court, requiring the sheriff to provide and furnish the office. The necessary expenses incurred therein are a legal and valid claim against the county.]~~ *Except as otherwise provided in this subsection, the board of county*



1 *commissioners may require the district court to expend money,*
2 *appropriated for a specific purpose. The board of county*
3 *commissioners shall not impose any specific requirements*
4 *regarding the expenditure of money that interfere with the ability*
5 *of the district court to carry out its constitutional functions.*

6 *4. If the board of county commissioners neglects or refuses to*
7 *provide the district court with the resources reasonable and*
8 *necessary to perform the constitutional functions of the district*
9 *court, the district court may order the board to provide such*
10 *resources to be paid out of the county treasury.*

11 *5. No money shall be drawn from the county treasury to pay*
12 *for any expense incurred or any expenditure made on behalf of*
13 *the district court except as appropriated by the board of county*
14 *commissioners in accordance with the budgeting process of the*
15 *county.*

16 **Sec. 28.** NRS 4.155 is hereby amended to read as follows:

17 4.155 In townships where more than one justice of the peace
18 has been provided for by NRS 4.020, such justices of the peace shall
19 have concurrent and coextensive jurisdiction within the territorial
20 limits provided by law, and may make such rules ~~and regulations,~~
21 not inconsistent with law, as will enable them to transact judicial
22 business in a convenient and lawful manner.

23 **Sec. 29.** NRS 4.157 is hereby amended to read as follows:

24 4.157 1. The justices of the peace of each justice court having
25 more than one justice of the peace shall choose from among those
26 justices of the peace a chief justice of the peace who is to be the
27 presiding judge of that court.

28 2. The chief justice of the peace shall:

- 29 (a) Assign cases to each justice of the peace of the justice court;
30 (b) Prescribe the hours of court;
31 (c) Adopt such other rules ~~or regulations~~ as are necessary for
32 the orderly conduct of court business; and
33 (d) Perform all other duties of the chief justice of the peace or of
34 the presiding judge of a justice court that are set forth in this chapter
35 and any other provision of NRS.

36 **Sec. 30.** NRS 5.021 is hereby amended to read as follows:

37 5.021 1. The municipal judges of each municipal court
38 having more than one municipal judge shall choose from among
39 those municipal judges a chief municipal judge who is to be the
40 presiding judge of that court.

41 2. The chief municipal judge shall:

- 42 (a) Assign cases to each judge in the municipal court;
43 (b) Prescribe the hours of court;
44 (c) Adopt such other rules ~~or regulations~~ as are necessary for
45 the orderly conduct of court business; and



1 (d) Perform all other duties of the chief municipal judge or of
2 the presiding judge of a municipal court that are set forth in this
3 chapter and any other provision of NRS.

4 **Sec. 30.5.** Chapter 33 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 *1. An order for protection against high-risk behavior, or the*
7 *behaviors described in NRS 33.550, issued by the court of another*
8 *state, territory or Indian tribe within the United States is valid and*
9 *must be accorded full faith and credit and enforced by the courts*
10 *of this State as if it were issued by a court in this State, regardless*
11 *of whether the order has been registered in this State, if a court in*
12 *this State determines that:*

13 *(a) The issuing court had jurisdiction over the parties and the*
14 *subject matter under the laws of the state, territory or Indian tribe*
15 *in which the order was issued; and*

16 *(b) The adverse party was given reasonable notice and an*
17 *opportunity to be heard before the order was issued or, in the case*
18 *of an emergency order, the adverse party was given reasonable*
19 *notice and an opportunity to be heard within the time required by*
20 *the laws of the issuing state, territory or tribe and, in any event,*
21 *within a reasonable time after the order was issued.*

22 *2. A law enforcement officer shall enforce an order for*
23 *protection against high-risk behavior issued by a court of another*
24 *state, territory or Indian tribe and shall make an arrest for a*
25 *violation thereof in the same manner that a law enforcement*
26 *officer would make an arrest for a violation of an emergency or*
27 *extended order issued by a court of this State unless it is apparent*
28 *to the officer that the order is not authentic on its face. An officer*
29 *shall determine that an order is authentic on its face if the order*
30 *contains:*

31 *(a) The names of the parties;*

32 *(b) Information indicating that the order has not expired; and*

33 *(c) Information indicating that the court which issued the*
34 *order had legal authority to issue the order as evidenced by a*
35 *certified copy of the order, a file-stamped copy of the order, an*
36 *authorized signature or stamp of the court which issued the order*
37 *or another indication of the authority of the court which issued*
38 *the order.*

39 *3. An officer may determine that any order is authentic on its*
40 *face.*

41 *4. In enforcing an order for protection against high-risk*
42 *behavior issued by a court of another state, territory or Indian*
43 *tribe or arresting a person for a violation of such an order, a law*
44 *enforcement officer may rely upon:*



1 (a) *A copy of an order for protection against high-risk*
2 *behavior that has been provided to the officer;*

3 (b) *An order for protection against high-risk behavior that is*
4 *included in the Central Repository for Nevada Records of*
5 *Criminal History or in any national crime information database;*

6 (c) *Oral or written confirmation from a law enforcement*
7 *agency or court in the jurisdiction in which the order for*
8 *protection against high-risk behavior was issued that the order is*
9 *valid and effective; or*

10 (d) *An examination of the totality of the circumstances*
11 *concerning the existence of a valid and effective order for*
12 *protection against high-risk behavior.*

13 5. *The fact that an order has not been registered or included*
14 *in the Central Repository for Nevada Records of Criminal History*
15 *or in any national crime information database is not grounds for a*
16 *law enforcement officer to refuse to enforce the terms of the order*
17 *unless it is apparent to the officer that the order is not authentic*
18 *on its face.*

19 6. *A court or law enforcement officer who enforces an order*
20 *for protection against high-risk behavior issued by a court of*
21 *another state, territory or Indian tribe based upon a reasonable*
22 *belief that the order is valid or who refuses to enforce such an*
23 *order based upon a reasonable belief that the order is not valid*
24 *and the employer of such a law enforcement officer are immune*
25 *from civil and criminal liability for any action taken or not taken*
26 *based on that belief.*

27 **Sec. 31.** NRS 33.020 is hereby amended to read as follows:

28 33.020 1. If it appears to the satisfaction of the court from
29 specific facts shown by a verified application that an act of domestic
30 violence has occurred or there exists a threat of domestic violence,
31 the court may grant a temporary or extended order. A court shall
32 only consider whether the act of domestic violence or the threat
33 thereof satisfies the requirements of NRS 33.018 without
34 considering any other factor in its determination to grant the
35 temporary or extended order.

36 2. A temporary or extended order must not be granted to the
37 applicant or the adverse party unless the applicant or the adverse
38 party has requested the order and has filed a verified application that
39 an act of domestic violence has occurred or there exists a threat of
40 domestic violence. If the applicant reasonably believes that
41 disclosing his or her address and contact information in the
42 application would jeopardize his or her safety, the applicant may
43 decline to disclose his or her address and contact information in the
44 application. If the applicant declines to disclose his or her address
45 and contact information in the application, then such information:



1 (a) Must be disclosed to the court and, for criminal justice
2 purposes, to any other authorized agency of criminal justice to allow
3 the agency of criminal justice to carry out any duty required
4 pursuant to NRS 33.017 to 33.100, inclusive;

5 (b) Must be maintained in a separate, confidential, electronic
6 document or database which is not publicly accessible; and

7 (c) Must not be released, disclosed or made accessible to the
8 public, except as authorized by the court.

9 3. The court may require the applicant or the adverse party, or
10 both, to appear before the court before determining whether to grant
11 the temporary or extended order.

12 4. A temporary order may be granted with or without notice to
13 the adverse party. An extended order may only be granted after
14 notice to the adverse party and a hearing on the application.

15 5. A hearing on an application for an extended order must be
16 held within 45 days after the date on which the application for the
17 extended order is filed. If the adverse party has not been served
18 pursuant to NRS 33.060 or 33.065 and fails to appear at the hearing,
19 the court may, upon a showing that law enforcement, after due
20 diligence, has been unable to serve the adverse party or that the
21 adverse party has sought to avoid service by concealment, set a date
22 for a second hearing which must be held within 90 days after the
23 date on which the first hearing was scheduled.

24 6. If the adverse party has not been served pursuant to NRS
25 33.060 or 33.065 and fails to appear on the date set for a second
26 hearing on an application for an extended order pursuant to
27 subsection 5, the court may, upon a showing that law enforcement,
28 after due diligence, has been unable to serve the adverse party or
29 that the adverse party has sought to avoid service by concealment,
30 set a date for a third hearing which must be held within 90 days after
31 the date on which the second hearing was scheduled.

32 7. The court shall rule upon an application for a temporary
33 order within 1 judicial day after it is filed.

34 8. If it appears to the satisfaction of the court from specific
35 facts communicated by ~~telephone~~ *electronic means* to the court by
36 an alleged victim that an act of domestic violence has occurred and
37 the alleged perpetrator of the domestic violence has been arrested
38 and is presently in custody pursuant to NRS 171.137, the court may
39 grant a temporary order. Before approving an order under such
40 circumstances, the court shall confirm with the appropriate law
41 enforcement agency that the applicant is an alleged victim and that
42 the alleged perpetrator is in custody. Upon approval by the court, the
43 signed order may be transmitted to the facility where the alleged
44 perpetrator is in custody by electronic or telephonic transmission to
45 a facsimile machine. If such an order is received by the facility



1 holding the alleged perpetrator while the alleged perpetrator is still
2 in custody, the order must be personally served by an authorized
3 employee of the facility before the alleged perpetrator is released.
4 The court shall mail a copy of each order issued pursuant to this
5 subsection to the alleged victim named in the order and cause the
6 original order to be filed with the court clerk on the first judicial day
7 after it is issued.

8 9. In a county whose population is 52,000 or more, the court
9 shall be available 24 hours a day, 7 days a week, including
10 nonjudicial days and holidays, to receive *electronic* communications
11 ~~[by telephone]~~ and for the issuance of a temporary order pursuant to
12 subsection 8.

13 10. In a county whose population is less than 52,000, the court
14 may be available 24 hours a day, 7 days a week, including
15 nonjudicial days and holidays, to receive *electronic* communications
16 ~~[by telephone]~~ and for the issuance of a temporary order pursuant to
17 subsection 8.

18 11. The clerk of the court shall inform the protected party upon
19 the successful transfer of information concerning the registration to
20 the Central Repository for Nevada Records of Criminal History as
21 required pursuant to NRS 33.095.

22 12. As used in this section, "agency of criminal justice" has the
23 meaning ascribed to it in NRS 179A.030.

24 **Sec. 31.5.** NRS 33.500 is hereby amended to read as follows:

25 33.500 As used in NRS 33.500 to 33.670, inclusive, *and*
26 *section 30.5 of this act*, unless the context otherwise requires, the
27 words and terms defined in NRS 33.510 to 33.540, inclusive, have
28 the meanings ascribed to them in those sections.

29 **Sec. 32.** NRS 50.054 is hereby amended to read as follows:

30 50.054 1. Except as otherwise provided by a ~~[regulation]~~ *rule*
31 of the Court Administrator adopted pursuant to NRS 1.510 and
32 1.520, a person shall not act as an interpreter in a proceeding if the
33 interpreter is:

- 34 (a) The spouse of a witness;
- 35 (b) Otherwise related to a witness;
- 36 (c) Biased for or against one of the parties; or
- 37 (d) Otherwise interested in the outcome of the proceeding.

38 2. Before undertaking his or her duties, the interpreter shall
39 swear or affirm that he or she will:

40 (a) To the best of his or her ability, interpret accurately to the
41 person with limited English proficiency in the language of the
42 person, questions and statements addressed to the person;

43 (b) Make a true interpretation of the statements of the person
44 with limited English proficiency in an understandable manner; and



1 (c) Repeat the statements of the person with limited English
2 proficiency to the best of his or her ability.

3 3. While in the proper performance of his or her duties, an
4 interpreter has the same rights and privileges as the person with
5 limited English proficiency including the right to examine all
6 relevant material, but is not entitled to waive or exercise any of
7 those rights or privileges on behalf of the person with limited
8 English proficiency.

9 4. If an interpreter appointed for a person with limited English
10 proficiency is not effectively or accurately communicating with or
11 on behalf of the person, and that fact becomes known to the person
12 who appointed the interpreter, another interpreter must be
13 appointed.

14 5. Claims against a county, municipality, this State or any
15 agency thereof for the compensation of an interpreter in a criminal
16 proceeding or other proceeding for which an interpreter must be
17 provided at public expense must be paid in the same manner as
18 other claims against the respective entities are paid. Payment may be
19 made only upon the certificate of the judge, magistrate or other
20 person presiding over the proceedings that the interpreter has
21 performed the services required and incurred the expense claimed.

22 6. As used in this section:

23 (a) "Interpreter" means a person who has a certificate or
24 registration as an interpreter issued by the Court Administrator
25 pursuant to NRS 1.510 and 1.520.

26 (b) "Person with limited English proficiency" has the meaning
27 ascribed to it in NRS 1.510.

28 **Sec. 33.** NRS 50.0545 is hereby amended to read as follows:

29 50.0545 1. An interpreter must be appointed at public
30 expense for a person with limited English proficiency who is a
31 defendant or a witness in a criminal proceeding.

32 2. If a certified or registered court interpreter is not available, a
33 court shall appoint an interpreter in accordance with the
34 ~~regulations~~ rules adopted pursuant to paragraph (e) of subsection 2
35 of NRS 1.510.

36 3. As used in this section:

37 (a) "Interpreter" means a person who has a certificate or
38 registration as an interpreter issued by the Court Administrator
39 pursuant to NRS 1.510 and 1.520.

40 (b) "Person with limited English proficiency" has the meaning
41 ascribed to it in NRS 1.510.

42 **Sec. 34.** NRS 62D.405 is hereby amended to read as follows:

43 62D.405 1. The juvenile court shall appoint at public expense
44 an interpreter for a person with limited English proficiency in all



1 proceedings conducted pursuant to the provisions of this title if the
2 person with limited English proficiency is:

3 (a) The child who is alleged to be or has been adjudicated
4 delinquent or in need of supervision;

5 (b) A parent or guardian of the child that is alleged to be or has
6 been adjudicated delinquent or in need of supervision; or

7 (c) A person who appears as a witness.

8 2. If a certified or registered court interpreter is not available,
9 the juvenile court shall appoint an interpreter in accordance with the
10 ~~regulations~~ *rules* adopted pursuant to paragraph (e) of subsection 2
11 of NRS 1.510.

12 3. As used in this section:

13 (a) "Interpreter" means a person who has a certificate or
14 registration as an interpreter issued by the Court Administrator
15 pursuant to NRS 1.510 and 1.520.

16 (b) "Person with limited English proficiency" has the meaning
17 ascribed to it in NRS 1.510.

18 **Sec. 35.** NRS 281.010 is hereby amended to read as follows:

19 281.010 1. The following officers must be elected:

20 (a) A Governor.

21 (b) A Lieutenant Governor.

22 (c) Two United States Senators.

23 (d) The number of members of the House of Representatives of
24 the United States to which this State may be entitled.

25 (e) The number of presidential electors to which this State may
26 be entitled.

27 (f) ~~Five justices~~ *Justices* of the Supreme Court.

28 (g) Judges of the Court of Appeals . ~~other than the initial three~~
29 ~~judges.~~

30 (h) District judges.

31 (i) Senators and members of the Assembly.

32 (j) A Secretary of State.

33 (k) A State Treasurer.

34 (l) A State Controller.

35 (m) An Attorney General.

36 (n) Other officers whose elections are provided for by law.

37 (o) For each county, and the equivalent officers for Carson City:

38 (1) One county clerk, who is ex officio clerk of the board of
39 county commissioners and *may also be* clerk of the district court of
40 the county.

41 (2) One sheriff.

42 (3) One district attorney.

43 (4) One public administrator, except where otherwise
44 provided by law.



1 (5) One county assessor, except where otherwise provided by
2 law.

3 (6) One county treasurer, except where otherwise provided
4 by law.

5 (7) The number of county commissioners as provided by
6 law.

7 (8) One county recorder, who is ex officio county auditor in
8 counties in which a county comptroller has not been appointed.

9 (9) Justices of the peace.

10 (10) Constables, except where otherwise provided by law.

11 2. All officers who are not elected must be appointed.

12 **Sec. 36.** The provisions of subsection 1 of NRS 218D.380 do
13 not apply to any provision of this act which adds or revises a
14 requirement to submit a report to the Legislature.

15 **Sec. 37.** NRS 1.060, 1.150, 1.170, 1.180, 2.210, 2.230, 2.255,
16 2.270, 2.420, 2.440 and 2.450 are hereby repealed.

17 **Sec. 38.** 1. This section becomes effective upon passage and
18 approval.

19 2. Sections 1 to 7, inclusive, 8.5 to 26, inclusive, and 28 to 37,
20 inclusive, of this act become effective:

21 (a) Upon passage and approval for the purpose of adopting any
22 rules and performing any other preparatory administrative tasks that
23 are necessary to carry out the provisions of this act.

24 (b) On January 1, 2024, for all other purposes.

25 3. Sections 8 and 27 of this act become effective on July 1,
26 2023.

LEADLINES OF REPEALED SECTIONS

1.060 Adjournment on absence of judge.

1.150 Clerk of district court to procure seal; form of seal.

1.170 Custody of seal.

1.180 Documents to which seal affixed.

2.210 Qualifications of Clerk.

2.230 Deputy clerks.

2.255 Penalties for violations by Clerk.

2.270 Destruction of obsolete exhibits by Clerk.

2.420 Hours of use by public.

2.440 Qualifications of Librarian.

2.450 Biennial report.

