

Understanding the Revised Nevada Rules of Civil Procedure

By Chief Judge Linda Marie Bell

The Supreme Court's Nevada Rules of Civil Procedure Committee did a review that resulted in changes to the Nevada Rules of Civil Procedure (NRCP), the Nevada Rules of Appellate Procedure (NRAP), and the Nevada Electronic Filing and Conversion Rules (NEFCR). The changes became effective March 1, 2019.

There are significant changes to discovery in the amendment to the NRCP. A good way for attorneys to see the changes is to read the red-line version found at https://nvcourts.gov/aoc/committees_and_commissions/nrcp/adopted_rules_and_redlines/.

The rules are intended to ensure just, speedy, and inexpensive resolution of every action and proceeding. To clear up questions from the Bar, the new rules will be covered in the Civil Bench-Bar meetings, which are held on the second Tuesday of each month in courtroom 10D.

Electronically filed documents are now auto-accepted, electronically served, and immediately available. If a document is filed incor-

rectly in a case, the department will strike the document and ask the attorney to refile the document in the proper case. If a party is not registered in the e-filing system, service on that party is the responsibility of the filer.

Departments are handling their own scheduling orders. Prior to issuing a scheduling order, the court will meet with the lawyers (parties may also be required to attend) to discuss discovery to ensure that the process is more meaningful as outlined in Rule 16. Requests for discovery extensions must go through

the departments.

Rule 16.3(c) outlines modifications made to the process of reports and recommendations. Once the Discovery Commissioner or acting Discovery Commissioner signs off on the report and recommendations with the new notice page, the Discovery Commissioner will now file and serve the original report and recommendations. An order with a file-stamped copy of the report and recommendations (with run slip, if there is any) will be forwarded to the department to which the case is

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Judge Linda Marie Bell

assumed the chief judge post effective July 1, 2018. She was elected to the Eighth Judicial District Court, Department 7, in 2008. Since taking the bench in January 2009, she has handled both civil and criminal cases, and managed the criminal division specialty courts for more than two years.



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assigned.

For the benefit of the Bar, and to ease confusion until the Eighth Judicial District Court (EJDC) amends its local rules to conform to the amended NRCP, NRAP, and NEFCR, the EJDC will need to suspend or modify certain district court rules. There are areas where rules are inconsistent with amendments to the NRCP. An Administrative Order suspends those rules to give clarity and ensure that the new rules take precedence over all local rules or district court rules. The Local Rules Committee will make adjustments to eliminate inconsistencies, but it could take some time.

The following rules have been suspended or modified until further notice:

1. Rule 1.14(a) through (c) is suspended;
2. Rule 1.90(a)(2) is modified to strike references to the discovery commissioner and replace those references with “district judge;”
3. Rule 1.90(b)(3) and Rule 1.90(b)(4) are suspended;
4. Rule 2.20(b) is suspended. Motions requir-

ing a hearing must include the designation “Hearing Requested” in the caption on the first page of the motion as follows:

Case No.

Dept. No.

HEARING REQUESTED

5. Rule 2.34(f) and Rule 2.34(h) are suspended;
6. Rule 2.35(a) is modified to strike references to the discovery commissioner, and replace those references with “district judge” because the district judges will handle stipulations and motions to extend discovery deadlines;
7. Rule 2.55 is suspended;
8. Rule 5.602(g) is suspended; and
9. Rule 8.01 and Rule 8.03 through 8.16 are suspended.

A red-line version of the new rules can be found at nvcourts.gov/aoc/committees_and_commissions/nrcp/adopted_rules_and_redlines. A PDF version of the revised rules affected by ADKT 522 can be found on the Supreme Court of Nevada website. 



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- > Cowden was the founding Chair of the Nevada State Bar's Appellate Litigation Section.

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