

FILED

MAR 25 2020

  
CLERK OF COURT

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

IN THE ADMINISTRATIVE MATTER OF  
COURT OPERATIONS OF CIVIL MATTERS IN  
RESPONSE TO COVID-19

Administrative Order: 20-11\_

Rule 1.30(b) of the Rules of Practice for the Eighth Judicial District Court of the State of Nevada charges the Chief Judge of the Eighth Judicial District Court with various responsibilities, such as supervising the administrative business of the EJDC, ensuring the quality and continuity of its services, supervising its calendar, reassigning cases as convenience or necessity requires, assuring the Court's duties are timely and orderly performed, and otherwise facilitating the business of the EJDC.

On March 12, 2020, Governor Steve Sisolak declared a state of emergency in Nevada in response to the recent outbreak of the Coronavirus Disease (COVID-19). The District Court is closely monitoring local developments in response to COVID-19 and will continue to evaluate and implement measures to slow the spread of infection in our community. During this time, it is critical to prevent the spread of any illness among members of the Court, counsel, staff, the public, and our valuable community partners. To further prevent the spread of disease, the Centers for Disease Control and Prevention recommends putting distance between yourself and other people. According to the CDC, the virus is spread mainly from people who are in close contact with one another—within about six feet.

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1           Given our extremely high caseloads and concerns for being able to process cases  
2 appropriately after the resolution of the pandemic, the Eighth Judicial District Court  
3 hopes to continue processing civil-domestic matters to the degree possible while  
4 balancing the health and safety of attorneys, litigants and Court staff. As a result, the  
5 following measures are ordered:  
6

7 **I. Confidential Reports**

8           Notwithstanding the provisions of EDCR 5.203, confidential reports (including  
9 custody evaluations, child interviews, brief focus assessments, drug test results, and  
10 paternity test results) shall be transmitted electronically to retained counsel, subject to the  
11 limitations imposed on counsel pursuant to EDCR 5.301 and EDCR 5.304. For self-  
12 represented litigants, civil-domestic departments may convey the information contained  
13 in the foregoing confidential reports by telephone. The transmittal of this information by  
14 telephone shall include, whenever possible, the reading of the information to the self-  
15 represented litigant. Alternatively, if a brief continuance is warranted, the Court in its  
16 discretion may continue the matter during the pendency of Administrative Order 20-01 to  
17 allow a self-represented litigant to read the confidential report at such time as in-person  
18 appearances resume.  
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20 **II. Courtesy Copies**

21           EDCR 5.515 is suspended and all submissions should adhere to the requirements  
22 of Administrative Order 20-10.  
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24 **III. Motions**

25           The Court may deny a motion at any time. The Court may grant all or any part of  
26 a motion after an opposition has been filed or 21 days after service of the motion if no  
27 opposition was filed. The Court may issue other written orders relating to the motion  
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1 filings as it deems appropriate. Hearings are to be conducted consistent with  
2 Administrative Order 20-10.

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4 Motions related to emergency legal and physical custody issues should receive  
5 priority with respect to the scheduling of a hearing on an appropriate order shortening  
6 time. Depending on the circumstances, the Court may determine these motions be  
7 considered essential under AO 20-1.

8 **IV. Rule 16.2 and 16.205 Conferences**

9 In order to facilitate and encourage just, speedy, and inexpensive discovery in  
10 civil-domestic actions, NRCP 16.2 and 16.205 Early Case Conferences should continue  
11 to take place, but should be conducted by telephone, teleconference, videoconference or  
12 other alternate means. If an early case conference cannot be accomplished by alternate  
13 means within 30 days of this order, it shall be rescheduled. No early case conference  
14 shall be conducted in-person within 30 days from the date of this order.  
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16 All deadlines pursuant to NRCP 16.2 and 16.205 for initial disclosures, disclosure  
17 of expert witnesses and testimony, supplementation of discovery, pre-trial disclosures,  
18 and filing of joint and/or individual case conference reports shall be stayed for 30 days  
19 following the entry of this order.

20 **V. Discovery**

21 The provisions of Administrative Order 20-09 related to discovery shall similarly  
22 apply in civil-domestic matters as follows: Any deposition pursuant to NRCP 30, that is  
23 scheduled to be conducted within the next 30 days, may be conducted by telephone,  
24 teleconference, videoconference or alternate means. Upon agreement of the parties and  
25 deponent, the in-person requirement of NRCP 28 and 30(b)(5), which requires a deponent  
26 to appear before an officer appointed or designated by NRCP 28 to administer oaths and  
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1 take testimony, may be modified, adjusted for social distancing requirements, or  
2 waived. However, if no stipulation or other agreement can be reached by the parties,  
3 there shall be no in-person deposition conducted within 30 days from the date of this  
4 order.

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6 All pending, unexpired discovery deadlines pursuant to NRCP 31 (depositions by  
7 written questions), 33 (interrogatories to parties) 34 (producing documents, electronically  
8 stored information and tangible things, or entering onto land, for inspection or other  
9 purposes), and/or 36 (requests for admission) shall be stayed for 30 days from the date of  
10 this order. This stay shall serve to extend the 30-day deadline for serving responses to  
11 written discovery, pursuant to NRCP 31, 33, 34 and 36, by 30 days, unless the time to  
12 respond to the written discovery expired on or before March 20, 2020.

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14 The parties shall vacate and reschedule any in-person NRCP 35 examination that  
15 is to be conducted within 30 days from the date of this order.

16 All discovery hearings in the next 30 days shall be conducted by alternative  
17 means. Discovery motions may be resolved on the papers by way of a written  
18 recommendation issued by the judicial officer assigned to the civil-domestic discovery  
19 calendar.

20 **VI. Continuance of Trials/Evidentiary Hearings**

21 Civil-domestic trials and evidentiary hearings may be conducted by alternative  
22 means under Nevada Supreme Court Rules Part IX-B Rule 1(6) or may be continued.  
23 The continuance of any trial or evidentiary hearing will be considered on a case-by-case  
24 basis. Attorneys may have difficulty obtaining witnesses or being prepared for  
25 evidentiary proceedings during this time and in the period immediately following the  
26 duration of the administrative orders relating to COVID-19. Judges are encouraged to  
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1 liberally grant continuances to allow time for preparation. Civil-domestic departments  
2 are encouraged to examine the merits of any application for a continuance, balancing the  
3 consequences of a delay in the proceedings and the constraints placed on attorneys and  
4 litigants to prepare for a trial or evidentiary hearing.  
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6 **VII. Settlement Conferences Vacated**

7 All judicial settlement conferences are vacated. The Department currently  
8 assigned the judicial settlement conference shall coordinate with retained counsel to  
9 reschedule the settlement conference to a date after June 1, 2020. Parties who have  
10 settlement conferences set through the Senior Judge Program should contact the Senior  
11 Judge Program to reschedule their settlement conference or inquire whether it will go  
12 forward by alternative means. If parties agree that a meaningful settlement conference by  
13 alternative means would be possible, nothing in this Order prevent parties from  
14 requesting individual judges to conduct a settlement conference. All parties and counsel  
15 would be required to appear by alternative means.  
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17 **VIII. Writs of Execution and Writs of Garnishment**

18 The provisions of Administrative Order 20-09 related to writs of execution or  
19 writs of garnishment shall not apply to writs issued for the purpose of the collection of  
20 support (child support or spousal support).  
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22 This order shall be reviewed no later than every 30 days and shall continue until  
23 modified or rescinded by a subsequent order.

24 Entered this 25th day of March 2020.

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26 LINDA MARIE BELL  
27 Chief Judge  
28 Eighth Judicial District Court