

FILED

DEC 31 2020

Ann D. Johnson
CLERK OF COURT

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

IN THE ADMINISTRATIVE MATTER OF
CIVIL/CRIMINAL DIVISION CASE
REASSIGNMENTS, FAMILY DIVISION CASE
REASSIGNMENTS, AND THE SUSPENSION
OF LOCAL GUARDIANSHIP RULES

Administrative Order: 20-25

The Chief Judge is responsible for supervising the administrative business of the Eighth Judicial District Court, 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 District Court. NRS 3.025; *see also* EDCR 1.30(b). This Court now modifies the following assignments to further foster consistency, efficiency, and fairness.

Accordingly, pursuant to EDCR 1.30(b), effective January 4, 2021, the following departments will have the following case assignments:

Civil/Criminal Division Assignments

Department 1 will have a civil and criminal case assignment. All civil cases in Department 19 are reassigned to Department 1. All criminal cases in Department 5 are reassigned to Department 1. Department 1 will replace Department 5 in Track 12 of the Criminal Case Flow Model. Department 1 will preside over Mental Health Court, supervise the Co-Occurring Specialty Court program, supervise civil commitment cases and determine family petitions for civil commitments.

Department 2 will have a civil and criminal case assignment. Forty percent of the civil cases in Department 32 are randomly reassigned to Department 2. All criminal

1 cases in Department 29 are reassigned to Department 2. Department 2 will replace
2 Department 29 in Track 10 of the Criminal Case Flow Model.

3
4 Department 3 will have a civil and criminal case assignment. All civil cases in
5 Department 3 will remain in Department 3. All criminal cases in Department 19 are
6 reassigned to Department 3. Department 3 will replace Department 19 in Track 14 of the
7 Criminal Case Flow Model.

8 Department 4 will continue to have a civil assignment and all civil cases in
9 Department 4 will remain in Department 4.

10 Department 5 will have a civil assignment. All civil cases, including probate cases
11 in Department 8; are reassigned to Department 5. Twenty percent of all future probate
12 cases will be assigned to Department 5.

13 Department 6 will continue to have a civil and criminal assignment.

14 Department 7 will continue to have a civil and criminal assignment. Department 7
15 will preside over Gambling Treatment Diversion Court.

16
17 Department 8 will have a civil assignment. All civil cases, including probate cases
18 in Department 24, are reassigned to Department 8. Twenty percent of all future probate
19 cases will be assigned to Department 8.

20 Department 9 will have a criminal assignment and will replace Department 21 on
21 the homicide team. Department 9 will continue to serve in Track 11 of the Criminal Case
22 Flow Model.

23 Department 10 will continue to have a criminal assignment and will remain the
24 homicide team case management judge.

25 Department 11 will continue to have a civil assignment and will remain a business
26 court judge.
27
28

1 Department 12 will continue to have a criminal assignment and will remain a
2 homicide team judge.

3
4 Department 13 will continue to have a civil assignment and will remain a business
5 court judge.

6 Department 14 will continue to have a civil assignment.

7 Department 15 will continue to have a civil assignment and a criminal assignment.
8 All criminal cases in Department 21 are reassigned to Department 15. Department 15
9 will replace Department 21 in Track 12 of the Criminal Case Flow Model.

10 Department 16 will continue to have a civil assignment and will remain a business
11 court judge.

12 Department 17 will continue to have a criminal assignment and will remain a
13 homicide team judge.

14 Department 18 will continue to have a civil and criminal assignment. Department
15 18, in combination with Department 23, will serve on the Outlying Track of the Criminal
16 Case Flow Model, hearing cases from all Clark County Justice Courts other than the Las
17 Vegas Justice Court.

18 Department 19 will have a civil assignment. All cases in Department 2 are
19 reassigned to Department 19, including eviction and misdemeanor appeals from the
20 municipal courts and justice courts.

21 Department 20 will have a civil and criminal assignment. All criminal cases in
22 Department 3 are reassigned to Department 20. Department 20 will replace Department
23 3 in Track 11 of the Criminal Case Flow Model.

24 Department 21 will have a civil and criminal assignment. Fifty percent of the civil
25 cases in Department 1 are randomly reassigned to Department 21. All criminal cases in
26

1 Department 18 are reassigned to Department 21. Department 21 will replace Department
2 18 in Track 3 of the Criminal Case Flow Model.

3
4 Department 22 will continue to have a civil assignment and continue to hear
5 construction defect cases as outlined in Administrative Order 18-08.

6 Department 23 will have a civil and criminal assignment. All civil cases in
7 Department 9 are reassigned to Department 23. Department 23, in combination with
8 Department 18, will serve on the Outlying Track of the Criminal Case Flow Model,
9 hearing cases from all Clark County Justice Courts other than the Las Vegas Justice
10 Court.

11 Department 24 will have a civil and criminal assignment. All civil cases from
12 Department 23 are reassigned to Department 24. All criminal cases from Department 23
13 are reassigned to Department 24. Department 24 will replace Department 23 in Track 2
14 of the Criminal Case Flow Model. Further, all post-conviction petitions for writs of
15 habeas corpus involving the calculation of credits earned under NRS 209.432 *et seq.* will
16 be assigned to Department 24.

17
18 Department 25 will continue to have a civil and criminal assignment.

19 Department 26 will continue to have a civil assignment. Sixty percent of all future
20 probate cases will be assigned to Department 26.

21 Department 27 will continue to have a civil assignment and will remain a business
22 court judge.

23 Department 28 will continue to have a civil and criminal assignment.

24 Department 29 will have a civil assignment. Sixty percent of the civil cases in
25 Department 32 are randomly reassigned to Department 29.
26
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1 Department 30 will continue to have a civil and criminal assignment. Department
 2 30 will preside over the Adult Drug Court Transitional Age Program (TAP).
 3

4 Department 31 will continue to have a civil assignment and continue to hear
 5 construction defect cases as outlined in Administrative Order 18-08.

6 Department 32 will have a civil and criminal assignment. Fifty percent of the civil
 7 cases in Department 1 are randomly reassigned to Department 32. All criminal cases in
 8 Department 20 are reassigned to Department 32. Department 32 will replace Department
 9 20 in Track 8 of the Criminal Case Flow Model. Further, Department 32 will preside
 10 over Competency Court.

11 **Criminal In-Custody Calendars (COVID-19 Schedule)**

12

	Video 1			Video 2			Video 3		Video 4	
	M/W	T/Th	F Hom.	M/W	T/Th	F Hom.	M/W	T/Th	M/W	T/Th
8:30	T. Jones	Wiese	T.Jones	Trujillo	Villani	Villani	Ballou	Hardy	Yeager	Johnson
11:00	Bluth	Leavitt	Leavitt	Silva	Kierny		Israel	Craig	Spells	Holthus
1:30	Delaney	Newberry	Silva							

16 **Criminal Out-Custody Calendars (COVID-19 Schedule)**

17

	M/W	T/Th		M/W	T/Th		M/W	T/Th	M/W	T/Th
10:00	T. Jones	Wiese		Trujillo	Villani		Ballou	Hardy	Yeager	Johnson
12:30	Bluth	Leavitt		Silva	Kierny		Israel	Craig	Spells	Holthus
3:00	Delaney	Newberry								

20 **Lower Level Arraignment Schedule**

21 All of the judges with a criminal assignment will rotate in lower level arraignment
 22 to assist with maintaining current time frames in-custody arraignments. Each judge will
 23 have one day every four weeks. The schedule has been provided separately.
 24

25

	Monday	Tuesday	Wednesday	Thursday	Friday
8:00 – 10:00	In-custody arraignments	In-custody arraignments	In-custody arraignments	In-custody arraignments	In-custody arraignments
10:30	Criminal settlement	Criminal settlement	Criminal settlement	Criminal settlement	Competency

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27
28

	conference	conference	conference	conference	
1:30	Criminal settlement conference	Criminal settlement conference	Criminal settlement conference	Specialty Court in-custody	Criminal settlement conference

Suspension of Local Guardianship Rules

As discussed in Administrative Order 18-09, the consolidation of guardianship cases to a limited number of judicial departments has resulted in increased efficiency and consistency in guardianship proceedings, and has allowed the Court to ensure that after a guardianship is established, the appointed guardians meet their fiduciary obligations to care for the protected person.

EDCR 5.103 and Nevada Revised Statute 3.025(3), which detail what is commonly referred to as the “one judge, one family” rule, generally require that if the same parties or child are involved in multiple cases within the jurisdiction of the Family Court, that all of the cases are assigned to the same judicial department.

NRS 3.025(3) authorizes the Chief Judge to make case assignments outside of the “one judge, one family” rule if the Chief Judge “determines that a different assignment is necessary because of considerations related to the management of the caseload of the district judges. . .” Adult guardianship cases are excluded from the “one judge, one family” case assignment scheme detailed in EDCR 5.103. Minor guardianship cases are not expressly excluded from the “one judge, one family” case assignment scheme detailed in EDCR 5.103.

The procedures established in Administrative Order 18-09 maintained minor guardianship cases within the “one judge, one family” rules by designating all minor guardianship cases as the determining case for the purpose of assigning related civil domestic matters involving the same child. This case assignment protocol mitigated the burden on already overloaded civil domestic Departments. With the passage of A.B. 43,

1 three new civil domestic Department will be added to the Family Division, effective
2 January 4, 2020. The addition of these much needed resources to the civil domestic case-
3 type, combined with increased demands in the guardianship case-type, allow for the
4 reassignment of related civil domestic matters from guardianship Departments.
5

6 In an effort to ensure that minor guardianship proceedings are adjudicated as
7 efficiently as possible, it is necessary to modify certain provisions of Administrative
8 Order 18-09 and remove minor guardianship cases from the “one judge, one family”
9 rules.

10 Eighth Judicial District Court Rules 5.701 through 5.705 detail guardianship
11 procedures which have become obsolete. EDCR 5.706, 5.707, 5.708, and 5.710 detail
12 certain requirements imposed on petitioners/guardians, which have been subrogated by or
13 are duplicative of statutes which govern the same subject matter. And EDCR 5.709
14 details a guardianship case assignment scheme which has been subrogated by prior
15 administrative orders.
16

17 Thus, minor guardianship cases shall be excluded from the “one judge, one
18 family” provision of Eighth Judicial District Court Rule 5.103.

19 The Clerk’s office shall modify the EDCR 5.103 case assignment procedure to
20 remove minor guardianship cases from consideration when making department
21 assignments for new civil domestic cases. The minor guardianship cases shall remain
22 related to civil domestic matters (and appear as such in Odyssey); however, civil
23 domestic matters shall not be assigned to a guardianship Department unless a
24 guardianship Department requests the reassignment of a civil domestic matter.
25

26 All future minor guardianship cases shall continue to be randomly assigned to
27 either Department B or Department F in equal proportions, unless the new minor
28

1 guardianship case involves the same parties as an existing guardianship case. In cases
2 where the new case involves the same parties as an existing case, the new case shall be
3 assigned to the same department to which the existing guardianship case is assigned.
4

5 All open and closed civil domestic cases, except adult name changes, minor
6 guardianship cases, and adult guardianship cases, currently assigned to Departments B
7 and F shall be randomly reassigned to the civil domestic departments in proportion to the
8 currently established caseloads for each department.

9 Eighth Judicial District Court Rules 5.701 through 5.710 are suspended. The
10 Eighth Judicial District Court Rules Committee shall consider modification of the local
11 rules to bring them into conformity with this Administrative Order.
12

13 The Presiding Judge of the Family Division is authorized to make case assignment
14 determinations deemed appropriate under the terms and purpose of this Administrative
15 Order.

16 **Family Division Assignments**

17 Department A will continue to have a juvenile delinquency and juvenile
18 dependency assignment.

19 Department B will continue to have a guardianship assignment as outlined above.

20 Department C is appointed as the Presiding Family Court Judge. Department C
21 will continue to have a civil domestic assignment.
22

23 Department D will continue to have a juvenile dependency assignment.

24 Department E will continue to have a civil domestic assignment.

25 Department F will have a guardianship assignment as outlined above. All
26 guardianship cases from Department M are reassigned to Department F.

27 Department G will continue to have a civil domestic assignment.
28

1 Department H will continue to have a civil domestic assignment.

2 Department I will have a civil domestic assignment and oversee DAAY Court.

3 Department J will have a civil domestic assignment.

4 Department K will continue to have a juvenile dependency assignment.

5 Department L will continue to have a juvenile delinquency and juvenile
6 dependency assignment.

7 Department M will have a civil domestic assignment. All cases from Department
8 F are reassigned to Department M.

9 Department N will continue to have a civil domestic assignment.

10 Department O will continue to have a juvenile dependency assignment and
11 oversee Dependency DCP.

12 Department P will have a civil domestic assignment.

13 Department Q will continue to have a civil domestic assignment. Fifty percent of
14 the civil domestic cases in Department C are randomly reassigned to Department Q.

15 Department R will continue to have a civil domestic assignment.

16 Department S will continue to have a civil domestic assignment.

17 Department T will have a civil domestic assignment.

18 Department U will have a civil domestic assignment. Civil domestic cases will be
19 randomly reassigned to Department U in an appropriate proportion to be determined by
20 the Court.

21 Department V will have a juvenile dependency assignment. The cases currently
22 assigned to Margaret Pickard through her previous duties as hearing master will be
23 reassigned to Department V.

1 Department W will have a civil domestic assignment. Civil domestic cases will be
2 randomly reassigned to Department W in an appropriate proportion to be determined by
3 the Court.
4

5 Department X will have a civil domestic assignment. Civil domestic cases will be
6 randomly reassigned to Department X in an appropriate proportion to be determined by
7 the Court.

8 Department Y will have a juvenile dependency assignment. All juvenile
9 dependency cases being heard by Hearing Master Adriana White are transferred to
10 Department Y.

11 Department Z will have a civil domestic assignment. Civil domestic cases will be
12 randomly reassigned to Department Z in an appropriate proportion to be determined by
13 the Court.
14

15 The EJDC Administration will publish the list of cases affected by the
16 aforementioned reassignments on the EJDC website and will further publish an updated
17 Criminal Case Flow Model. This Administrative Order shall supersede any prior
18 administrative orders regarding these assignments.

19 **IT IS SO ORDERED.**

20
21 Dated this 31st day of December, 2020

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23 

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25 D28 B75 945F CEC7
26 Linda Marie Bell
27 District Court Judge
28