

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ADOPTION  
OF THE TENTH JUDICIAL DISTRICT  
COURT RULES.

ADKT 0473

**FILED**

APR 18 2012

TRACIE K. ANDERSON  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

ORDER ADOPTING THE  
TENTH JUDICIAL DISTRICT COURT RULES

WHEREAS, on December 19, 2011, the Honorable David A. Huff, Judge of the Tenth Judicial District Court filed a petition in this court seeking adoption of the Tenth Judicial District Court Rules; and

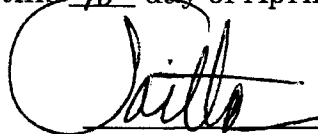
WHEREAS, this court has considered the petition and concludes that the proposed rule adoptions are warranted; accordingly,


IT IS HEREBY ORDERED that the Tenth Judicial District Court Rules shall be adopted and shall read as set forth in Exhibit A; and

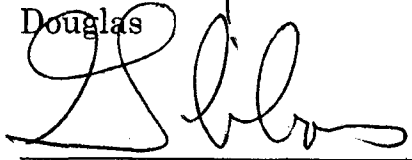
IT IS FURTHER ORDERED that these rule adoptions shall be effective 30 days from the date of this order. The clerk of this court shall cause a notice of entry of this order to be published in the official publication of the State Bar of Nevada. Publication of this order shall be accomplished by the clerk disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the State Bar of Nevada. The certificate of the clerk of this court as to the accomplishment of the above-described publication of notice of entry and

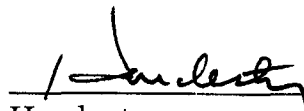
dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing rules.

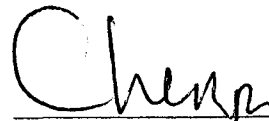
Dated this <sup>18<sup>th</sup></sup>~~16<sup>th</sup>~~ day of April, 2012.


  
Saitta, C.J.


  
Douglas, J.

  
Gibbons, J.

  
Hardesty, J.

  
Cherry, J.

  
Pickering, J.

  
Parraguirre, J.

cc: Tenth Judicial District Court Judge  
Tenth Judicial District Court Clerk  
Administrative Office of the Courts

**RULES OF PRACTICE FOR THE TENTH JUDICIAL  
DISTRICT COURT OF THE STATE OF NEVADA**

**Rule 1. Applicability and citation of rules.**

1. These rules shall be known and may be cited as the "Tenth Judicial District Court Rules," which may be referred to and abbreviated as "10JDCR" The word "rule" without further identification means one of the Rules of Practice.

2. In order to allow flexibility in the administration of the Tenth Judicial District Court, these rules may be supplemented by a "Standing Order Supplementing Local Rules" signed by the District Judge. The Standing Order shall be posted in the office of the Court Clerk.

3. These rules are intended to be supplemental to the District Court Rules (DCR) of the State of Nevada. The District Court Rules promulgated by the Nevada Supreme Court shall be applied whenever not inconsistent with these local rules. To the extent that these local rules are inconsistent with the District Court Rules promulgated by the Nevada Supreme Court, these rules shall be applied instead of the District Court Rules pursuant to DCR 5.

4. Whenever it appears to the Court that a particular situation does not fall within any of these rules, or that the literal application of a rule would work hardship or injustice in any case, the Court shall make such order as the interests of justice require.

## **Rule 2. Organization of the Court.**

1. The Tenth Judicial District is comprised of Churchill County and consists of one department.

2. The position of Child Support Master, pursuant to NRS 3.405, 125B.200(1), 425.381, and Chapter 130 is established and an appointment shall be made in the Standing Order.

3. The position of Juvenile Master, pursuant to NRS 62B.020 and 432B.470 *et seq.*, is established and an appointment shall be made in the Standing Order.

4. The District Judge may order the appointment of a special master for such other duties as assigned to the special master in either the Standing Order or by separate order in an individual case. The compensation of a special master shall be fixed by the Court in its discretion.

5. The Court Administrator shall be selected by the Court and is responsible for the administration of the rules, policies, and directives of the District Court. In addition to the duties prescribed below, the Court Administrator shall be denominated the clerk of the Court and shall perform all the statutory and other duties assigned to that office. The Court Administrator shall:

a. Supervise officers and employees of or serving the District Court, except for the staff of the District Judge;

b. Supervise the office of the Court clerk and the processing of all pleadings and papers related to Court business and the Court clerks;

c. Plan, organize, and direct the budgetary and fiscal operations of the District Court;

d. Plan for, organize, hire, train, and supervise all personnel deemed necessary to adequately conduct the operations of the District Court, except for the staff of the District Judge;

e. Monitor a system of internal controls, which includes payroll, purchasing, accounts payable, accounts receivable, information systems, and inventory, along with all other fiscal aspects of the District Court, including administration and jury services;

f. Expedite movement of the Court calendars and coordinate and monitor automated case management systems;

g. Supervise preparation and submission of reports and activities of the Court to state, regional, and local authorities as required;

h. Determine statistics to be gathered for the statewide uniform system of judicial records and manage the flow of information through and about the Court;

i. Direct research, evaluation, and monitoring and propose new and revised policies as necessary to improve Court operations;

j. Coordinate the calendars and activities of judges visiting from other jurisdictions and of hearing officers or masters assigned for specific purposes;

k. Represent the Court on regional, statewide, judicial, and justice system coordinating councils, conferences, conventions, and committees as assigned by the District Judge;

l. Handle public information and act as a liaison with other government executive, legislative, and judicial agencies in the community as assigned by the District Judge; and

m. Perform such other functions and duties as may be assigned by the District Judge.

6. The Court clerk's office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The hours for filing documents are 8:30 a.m. to 4:30 p.m., Monday through Friday.

**Rule 3. Law and motion calendar.**

1. The law and motion calendar shall be called as follows:

Tuesday of each week at 9:00 a.m.

2. When a legal holiday falls on Tuesday, the calendar affected by the holiday will be called on Wednesday of that week.

3. Except in cases of emergency, and with the District Judge's written approval, no matter will be placed on the law and motion calendar unless the clerk is notified not later than:

12:00 noon of the preceding Friday.

4. The following matters, if uncontested, may be set on any law and motion day upon request of counsel, without compliance with Rule 5:

- a. Adoptions.
- b. Divorces.
- c. Annulments.
- d. Estate proceedings.
- e. Guardianships.
- f. Name changes.
- g. Termination of parental rights.
- h. Default judgments.
- i. Proceedings under the Uniform Reciprocal Enforcement of Support Act.
- j. Criminal arraignments, plea changes, and sentencings.
- k. Juvenile proceedings.

1. Other similar matters.

5. If any matter, whether contested or uncontested, is expected to take longer than 10 minutes, the matter shall be scheduled for a separate time and shall not be placed on the law and motion calendar.

**Rule 4. Time; judicial days; service by mail.**

1. In computing any period of time prescribed or allowed by these rules, by order of Court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run must not be included. The last day of the period so computed must be included, unless it is a Saturday, a Sunday, or a nonjudicial day, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a nonjudicial day. When the period of time prescribed or allowed is less than 11 days, intermediate Saturdays, Sundays, and nonjudicial days must be excluded in the computation.

2. If any day on which an act required to be done by any one of these rules falls on a Saturday, Sunday, or legal holiday, the act may be performed on the next succeeding judicial day.

3. Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a notice or other paper, other than process, and the notice or paper is served upon the party by mail, 3 days must be added to the prescribed period.

**Rule 5. Setting for trial or hearing.**

1. Settings for trial or hearing will be made upon an "Application for Setting" being filed with the clerk and served on all other parties. The Court

Administrator shall notify all parties of the date and time set for the trial or hearing.

2. The Court Administrator may provide each party with a setting questionnaire in a form prescribed by the Court. If so provided, the matter will be set for hearing at the earliest available date consistent with the Court's calendar and the calendars of those parties who have returned the questionnaire. The Court Administrator shall then notify all parties of the date and time set for the trial or hearing.

3. If a case is settled at any time, the Court Administrator shall immediately be notified.

4. Once set, a trial or hearing may only be removed from the calendar with the consent of the District Judge.

**Rule 6. Continuances.** Continuances of any trial or hearing will be granted only:

1. Upon compliance with DCR 14;
2. Upon the Court's own motion when necessary by reason of the other business of the Court; or
3. Upon written stipulation of counsel, endorsed by all parties and filed not less than 24 hours prior to the trial or hearing, and with consent of the District Judge.

**Rule 7. Criminal trial status hearing.** A status hearing for criminal trials shall be set, at least 1 week and at most 4 weeks, prior to the trial date. This will provide at least 5 days' notice of the status of the pending trial to all parties and the jury commissioner.



**Rule 8. Mandatory pretrial settlement conference for civil matters.**

1. In all civil matters except those involving domestic relations matters (see Rule 24), the attorneys for the parties and any unrepresented parties shall appear before the Court for a pretrial settlement conference. Unless excused, all parties and their attorneys shall be present together with any other person necessary for settlement authority.

2. The purpose of the pretrial settlement conference will be to reach a settlement of the entire lawsuit or as many legal and factual issues as possible.

a. For those matters set for a jury trial, the pretrial settlement conference will be held with the District Judge.

b. For those matters set for a bench trial, the pretrial settlement conference may be held with the District Judge upon stipulation by all parties to the action or the parties may request that the conference be held with a Senior Judge. A stipulation by the parties to the District Judge holding the conference constitutes a waiver of any claim that the District Judge has an actual or implied bias solely by reason of the District Judge's participation in the pretrial settlement conference.

3. Additional matters that may be discussed at the pretrial settlement conference include, but are not limited to, the following:

- a. The necessity or desirability of amendments to the pleadings;
- b. Requirements with respect to trial briefs;
- c. Requirements with respect to requests for jury instructions and suggested special questions to be asked by the Court on voir dire in cases to be tried by jury;

d. The number of expert witnesses to be permitted to testify on any one subject; and

e. Any other matter which may be relevant to the parties, process, pleading, or proof, with a view to simplifying the issues and achieving a just, speedy, and inexpensive determination of the case.

4. Any discussion with respect to settlement shall be entirely without prejudice and may not be referred to during the trial or in any arguments or motions, unless the Court for good cause permits it.

5. Upon conclusion of the pretrial settlement conference, if not previously set for trial, the Court will set the case for trial and enter such further orders as the status of the case may require.

6. Failure of any counsel to appear at the pretrial conference or to participate therein in good faith shall result in the Court making such orders as deemed appropriate, including the imposition of appropriate sanctions.

7. The filing of an NRCP 16.1 joint case conference report shall activate the scheduling process.

**Rule 9. Trial statements.** At least 5 days prior to a civil trial, each party shall file and serve on all other parties a trial statement that shall set forth the following matters in the following order:

1. A concise statement of the claimed facts supporting the party's claims or defenses.

2. A statement of admitted or undisputed facts.

3. A statement of issues of law supported by a memorandum of points and authorities.

4. In nonjury cases, a list of summaries or schedules referring to attached itemized exhibits concerning any subject matter that involves

accounting, computation, chronology, or similar detail data reasonably calling for orderly itemization (e.g., wages, income, expenses, inventories, business operations, tax computations, disability periods, property losses, itemizations of claimed losses, or injuries), the data and reasons upon which an expert bases his or her opinion (not the opinion itself), which clearly reflects the claims, defenses, or offers of proof of the party in such respects, together with reference to the records or other source upon which such summaries or schedules are based.

5. The names and addresses of all witnesses, except impeaching witnesses.

6. A list of special questions requested to be propounded to prospective jurors.

7. Any other appropriate comment, suggestion, or information that may assist the Court in the trial or disposition of the case.

#### **Rule 10. Exhibits and contested evidence.**

1. Prior to a trial or hearing, counsel for the parties shall meet or discuss by telephone, and stipulate to the admission of as many exhibits as possible. Such stipulation will avoid the need for foundational witnesses.

2. All proposed exhibits shall be presented to the Court clerk to be marked at least 1 judicial day prior to a trial or hearing.

3. Copies of proposed exhibits shall be furnished to the opposing party before a trial or hearing commences. This rule does not relieve a party of the duty to provide discovery under any other rule or statute.

4. Counsel shall file all motions in limine in advance of trial as ordered by the Court. This will provide the Court an opportunity to consider the admissibility of contested exhibits or other evidence.

**Rule 11. Jury instructions.**

1. In civil matters, Plaintiff's attorney shall prepare the stock instructions and deliver them to the Court at the commencement of the trial.

2. Proposed special jury instructions and forms of verdicts must be served on all counsel and received by the District Judge at the commencement of the trial. Additionally, special instructions developed during the course of the trial and that could not reasonably have been anticipated before trial shall be exchanged by counsel and submitted to the Court as soon as practicable.

3. An original and 1 copy of each instruction requested by any party must be tendered to the Court.

a. All original proposed jury instructions shall be in clear, legible type on clean, white paper of standard quality, not less than 16-lb. weight, 8½ × 11 inches in size, with black border line and no less than 28 numbered lines.

b. The designation "Instruction No. \_\_\_\_\_" shall be centered on line 1 of the first page of each original instruction.

c. The original instructions shall not bear any markings identifying the submitting attorney, and shall not contain any citations of authority. No portions thereof shall be in capital letters, underlined, or otherwise emphasized.

d. The copies shall contain authority, if any, for the proposed instruction. The copies must also indicate who tendered them, with the designation "Plaintiff's/Defendant's Proposed Instruction No. \_\_\_\_\_" centered at the bottom of the page.

e. The instructions given to the jury will be firmly bound together and the District Judge shall write the word "Given" at the conclusion thereof and sign the last of the instructions to signify that all have been given.

**Rule 12. Voir dire examination.**

1. The Court shall conduct the voir dire examination of the jurors. Proposed voir dire questions by the parties or their attorneys must be submitted to the Court and served on all counsel not less than 5 days before the day the trial is to commence.

2. The Court may permit counsel to conduct a supplemental examination. The scope of such additional questions or supplemental examination shall be within reasonable limits prescribed by the District Judge in his or her sound discretion. The following areas of inquiry are not properly within the scope of voir dire examination by counsel:

- a. Questions already asked by the Court or counsel and answered.
- b. Questions touching upon anticipated instructions on the law.
- c. Questions touching upon the verdict a juror would return when based upon hypothetical facts.
- d. Questions that are, in substance, arguments of the case.

**Rule 13. Settlements in jury trials.** Any civil case settled after a jury has been summoned may be settled only upon condition that one or more of the parties involved reimburse the county for all expenses incurred to the date of settlement in summoning and securing the attendance of all prospective jurors.

**Rule 14. Jury commissioner; jurors.**

1. Pursuant to NRS 6.045, the District Court hereby designates the Court Administrator as jury commissioner. The District Judge may assign to the jury commissioner such administrative duties in connection with trial juries and jurors as the Court finds desirable for efficient administration. The jury commissioner is directly responsible to the Court.

2. The jury commissioner shall, on or before the 15th day of January of each year, estimate the number of trial jurors that shall be required for attendance in the District Court and shall select that number from the qualified electors of the county not exempt by law from jury duty, whether registered as voters or not. The jurors may be selected by computer whenever procedures to assure random selection from computerized lists are established by the jury commissioner. Such commissioner shall keep a record of the name, occupation, and address of each person selected.

3. At least 2 weeks prior to the time when the person whose names are drawn are required to appear for jury service, the jury commissioner shall draw a regular panel of trial jurors for a designated case from the venire established by the selection process outlined in subsection 2 of this rule. The jury commissioner shall make a list of the names obtained and retain said list in the jury commissioner's office subject to inspection by any officer or attorney of the Court, furnish a copy of the same to each attorney involved and issue a venire and deliver the same to the sheriff. The sheriff shall make return of the venire to the jury commissioner at least 1 day prior to the day named for the prospective juror's appearance. Such selection may be by computer whenever procedures to assure random selection from the panel of trial jurors are established by the jury commissioner.

4. Each person summoned as a trial juror pursuant to law and this rule shall serve for a period of time set by the Court.

5. The names of prospective jurors who have been summoned for service and whose services subsequently are not required shall be returned by the jury commissioner to the master list of prospective jurors as selected pursuant to subsection 2 of this rule.

6. A person summoned for jury service may be excused by the jury commissioner because of sickness or physical disability, serious illness or death of a member of his or her immediate family, undue hardship or extreme inconvenience, or public necessity.

#### **Rule 15. Motion practice.**

##### ***Scope:***

1. This rule applies to all motions, both criminal and noncriminal.
2. This rule does not apply to ex parte motions (see Rule 21).
3. All motions for summary judgment must be filed at least 30 days before the first day of trial.

4. Any affidavit filed pursuant to this rule shall contain only factual evidentiary matter, shall conform with the requirements of NRCP 56(e), and shall avoid mere general conclusions or argument. Affidavits substantially defective in these respects may be stricken wholly or in part.

##### ***The Motion:***

5. All motions shall contain a brief statement particularly describing the relief sought. The motion shall include, or shall be filed simultaneously with, the following:

a. A memorandum of points and authorities in support of the motion.

b. Proof of service of the motion and all supporting documents.

6. All motions shall be accompanied by affidavits in support of any factual contentions involved in the motion. The absence of affidavits may be construed by the Court as an admission that there is no proof in support of any factual contentions asserted in the motion.

7. The absence of a memorandum of points and authorities may be construed by the Court as an admission that the motion is not meritorious and cause for its denial or as a waiver of all grounds not so supported.

8. Points and authorities shall, at a minimum, identify the facts and legal authorities that support the motion, and exhibits shall automatically be deemed to be incorporated by reference, unless otherwise indicated. The failure to identify both the facts and legal authorities that support the motion shall be equivalent to the absence of a memorandum of points and authorities.

***The Opposition:***

9. Within 10 days after the service of the motion, the opposing party shall serve and file a written opposition thereto. Each opposition shall contain a brief statement describing the extent to which the relief sought by the moving party is contested. Unless the entire relief sought is contested, the opposing party shall particularly delineate which portions of the relief sought in the motion are being contested. The opposition shall include, or shall be filed simultaneously with, the following:



a. A memorandum of points and authorities in opposition to the motion.

b. Proof of service of the motion and all supporting documents.

10. All oppositions shall be accompanied by affidavits in support of any factual contentions involved in the opposition. The absence of affidavits filed with the opposition may be construed by the Court as an admission that the factual contentions supported by affidavits filed in support of the motion are true.

11. Failure of the opposing party to timely serve and file a written opposition, together with supporting points and authorities, may be construed by the Court as an admission that the motion is meritorious and a consent to granting the same.

12. Counsel may extend the time for filing an opposition, without an order of the Court, upon the filing of a written stipulation.

13. Points and authorities shall, at a minimum, identify the facts and legal authorities that support the opposition, and exhibits shall automatically be deemed to be incorporated by reference, unless otherwise indicated. The failure to identify both the facts and legal authorities that support the opposition shall be equivalent to the absence of a memorandum of points and authorities.

***The Reply:***

14. The moving party may serve and file reply points and authorities within 5 days after service of the points and authorities in opposition.

*Review by the Court:*

15. The District Judge is ordinarily unaware of the existence of any contested motion until the filing of a "Request for Submission." Any party may file a Request for Submission whenever a motion is at issue. Whenever a party has filed a Request for Submission, the Court clerk shall deliver that file to the chambers of the Court for consideration of the motion. A motion is "at issue" when any of the following occur:

- a. By stipulation of all parties;
- b. Ten days pass after service of the motion and no opposition has been filed; or
- c. Five days pass after service of the opposition to the motion, regardless of whether or not there has been a reply filed.

16. A proposed order shall be submitted simultaneously with the filing of the Request for Submission.

17. Whenever the Court is presented with a motion that is at issue, the Court shall rule on the motion or, in its discretion, order the Court Administrator to set the matter for hearing. Following the selection of a date and time for the hearing (see Rule 5), the Court Administrator shall prepare a Setting Memo indicating the date and time for the hearing and the length of time set aside for the hearing. The Court Administrator shall serve the parties with a copy of the Setting Memo.

18. No motion once heard and disposed of may be renewed in the same cause, nor may the same matters therein be reheard, unless by leave of the Court granted upon motion, after notice of such motion to the adverse parties.

- a. A party seeking reconsideration of a ruling of the Court, other than any order that may be addressed by motion pursuant to NRCP 50(b),

52(b), 59, or 60, must file a motion for such relief within 10 days after service of written notice of the order or judgment unless the time is shortened or enlarged by the order.

b. A motion for rehearing or reconsideration must be served, noticed, and filed as is any other motion.

c. A motion for reconsideration does not toll the 30-day period for filing a notice of appeal from a final order or judgment.

**Rule 16. Documents of the Court; pleading requirements.**

1. Every pleading, written motion, and other paper shall be signed by at least one attorney of record in the attorney's individual name, or, if the party is not represented by an attorney, shall be signed by the party. The signature shall be placed on the last page of the pleading, written motion, or other paper. Below the signature shall be the signer's address, telephone number, and fax number, if any. An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

2. All pleadings and papers presented for filing must be flat, unfolded, firmly bound together at the top, on white paper of standard quality, not less than 16-lb. weight and 8½ × 11 inches in size. Photocopies may not be filed, except as provided in subsection 6 of this rule. Only one side of the paper may be used.

a. The lines of each page must be double-spaced, except that descriptions of real property may be single spaces. Pages must be numbered consecutively at the bottom. Lines of pages must be numbered in the left margin or on legal pleading paper.

b. All orders presented to the District Judge for signature, whether pursuant to stipulation or otherwise, must be on a separate sheet of paper and properly entitled in the Court and cause.

3. No original pleading or paper may be amended by using correction fluid or tape, making erasures or interlineations thereon, or by attaching slips thereto, except by leave of the Court.

4. The following information shall appear on the first page of every paper presented for filing:

a. The case number and department in which it is filed shall be set forth to the left of center of the page beginning at line 1. The space to the right of center shall be reserved for the filing marks of the clerk.

b. Pursuant to NRS 239B.030(4), an Affirmation stating that the document does not contain the social security number of any person shall appear below the case number/department number. If the document does contain the social security number of any person, the affirmation shall be attached as the last page of the document presented for filing and shall indicate the specific state or federal law requiring said number.

c. The title of the Court shall appear at the center of the page, line 7, below the information required by subsection 1.

d. Below the title of the Court shall appear in the space to the left of center, line 10, the name of the parties to the action or proceeding.

e. The title of the pleading, motion, or other document must be in the space to the right of the name of the parties to the action or proceeding. The title must be sufficient in description to apprise the respondent and clerk of the nature of the document filed or the relief sought.

(Example)

Case No.

Dept. No.

The undersigned hereby affirms that  
this document does not contain the  
social security number of any person.

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IN THE TENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF CHURCHILL

JOHN DOE,

Plaintiff,

v.

**MOTION, ORDER, REPLY,  
JUDGMENT, ETC.**

RICHARD ROE,

Defendant.

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(End Example)

5. Pleadings or papers presented for filing should be in the following order:
  - a. Pleadings or documents, including filer's signature.
  - b. Affirmation.

c. Certificate of service.

d. Index of exhibits followed by the exhibits, if any.

6. All exhibits attached to pleadings or papers must be  $8\frac{1}{2} \times 11$  inches in size, must be separated with divider pages, and must be labeled numerically (Plaintiff) or alphabetically (Defendant). Exhibits that are smaller must be affixed to a blank sheet of paper  $8\frac{1}{2} \times 11$  inches in size, with invisible adhesive tape on all sides. Exhibits that are larger than  $8\frac{1}{2} \times 11$  inches must be reduced to  $8\frac{1}{2} \times 11$  inches. Exhibits such as maps must be folded so as to appear  $8\frac{1}{2} \times 11$  inches in size. Copies of exhibits must be clearly legible and not unnecessarily voluminous. Original documents must be retained by counsel for introduction as exhibits at the time of a hearing or at the time of trial rather than attached to pleadings.

7. Accountings and/or financial reports must be attached as exhibits to pleadings and documents and not included in the body of any pleading or document.

8. Any motion, opposition, reply, etc. must be filed as a separate document unless it is pleaded in the alternative.

9. The Court shall not accept for filing any pleadings or documents that do not comply with this rule. Except by leave of the Court after good cause has been shown, the Court may permit the filing of noncomplying pleadings and documents.

#### **Rule 17. Extension or shortening of time.**

1. All motions for extensions of time shall be made upon 5 days' notice to all counsel.

2. Upon presentation of an ex parte motion to extend time, if a satisfactory showing is made by affidavit or certificate of counsel that a good

faith effort has been made to notify opposing counsel of the motion, and the District Judge finds good cause, the District Judge may order ex parte an extension of time.

3. Extensions to answer or otherwise respond to a complaint shall not exceed 40 days without Court approval.

4. Upon presentation of an ex parte motion to shorten time, if a satisfactory showing is made by affidavit or certificate of counsel that circumstances warrant and justify the shortening of time, and the District Judge finds good cause, the District Judge may order ex parte a shortening of time.

**Rule 18. Filing faxed documents.**

1. No document may be filed by direct faxing to the Court Clerk's Office.

2. A faxed document, including any signature page, shall be accepted by the Court Clerk pending the filing of the original if:

- a. It is presented on plain paper;
- b. It is clearly legible in its entirety; and
- c. It otherwise complies with all applicable requirements.

The party sending the faxed document shall have 5 days after faxing the document within which to file the original.

**Rule 19. Submission of proposed orders.**

1. This rule applies to all proposed orders, except proposed ex parte orders, which shall comply with Rule 21. It is the purpose of this rule that all orders submitted to the Court for signature accurately reflect the instructions of the Court. It is also the purpose of this rule that all counsel of record have

an opportunity to review a proposed order prior to its submission. All counsel shall make a good faith effort to agree upon the form of any proposed order in furtherance of this purpose.

2. Counsel obtaining any order, judgment, or decree must furnish the form of the same to all other parties in the case for review within 10 days after counsel is notified of the ruling, unless additional time is allowed by the Court. Should the other parties not provide any comments with respect to the proposed order within 5 days of service of a copy of the proposed order for review, subject to the Court's discretion, the proposed order shall be deemed acceptable to all parties and may then be submitted to the Court. Should the parties disagree concerning the contents of the proposed order, each party shall submit a separate proposed order to the Court.

**Rule 20. Copies of all pleadings to all parties.**

1. In all cases having more than one party Plaintiff or Defendant, or both, represented by separate counsel of record, it shall be the duty of each party to furnish to one counsel of record for each party who has appeared copies of all papers served upon any party.

2. The foregoing shall apply to Nevada counsel of record as well as to foreign counsel who have been authorized by the Court to be of record in the proceedings.

**Rule 21. Ex parte orders.**

1. Ex parte orders are disfavored and counsel are encouraged to move with notice whenever possible.

2. No ex parte orders, except an order of the Court to allow an indigent to file a complaint without payment of fees shall be presented to the District



Judge for signing before the case has been filed with the Court Clerk and given a case number.

3. Whenever the Court has issued an ex parte order, the party obtaining it shall serve, within such time as prescribed by the Court, a copy thereof, and the papers upon which it was based, upon each party who has appeared in the action.

**Rule 22. Appearances, substitutions, withdrawal, or dismissal of attorneys.**

1. Except for good cause shown, no application for the substitution, withdrawal, or dismissal of an attorney shall be granted within 30 days of a trial or within 15 days of a hearing in the case. For purposes of this subsection, the failure of the client to compensate counsel does not constitute good cause. Substitution, withdrawal, or dismissal of an attorney may not be grounds to delay a trial or other hearing.

***Appearance:***

2. When a party has appeared by counsel, that individual cannot thereafter appear on his or her own behalf in the case without the consent of the Court. Counsel who has appeared for any party shall represent that party in the case and shall be recognized by the Court and by all parties as having control of the client's case until counsel withdraws, another attorney is substituted, or until counsel is discharged by the client in writing, filed with the Court Clerk. Said withdrawal, substitution, or discharge shall be in accordance with SCR 46, 47, and 48, as well as this rule. The Court, in its discretion, may hear a party in open Court although the party is represented by counsel.