

**Askew v. Askew, No. 66444, Order Affirming in Part, Reversing in Part, and Remanding (Unpublished Disposition, February, 12, 2016)**  
**SC UNPUB**

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Four part test for establishment of a Court Restriction Order was established in Jones v. Eighth Judicial Dist. Court., 130 Nev., Adv. Op. 53, 330 P.3d 475, 479-80 (2014).

- (1) provide notice and an opportunity to oppose the proposed restrictions;
- (2) create an adequate record that includes a list of the filings or other reasons that led the judge to conclude that a restrictive order is needed, including consideration of other less onerous sanctions to curb the repetitive or abusive activities;
- (3) make substantive findings as to the frivolous or harassing nature of the litigant's actions; and
- (4) narrowly tailor the restrictions to address the specific problem and set an appropriate standard by which to measure future filings.

Additionally, the Court pointed out that the district court described the restriction as a "GOAD Order," presumably alluding to Goad v. United States, 661 F. Supp. 1073, 1081-82 (S.D. Tex. 1987), aff'd in part and vacated in part, 837 F.2d 1096 (Fed. Cir. 1987), and Goad v. Rollins, 921 F.2d 69, 70-71 (5th Cir. 1991). We note, however, that sanctions and court-imposed restrictions on filing, like the one at issue here, are governed by NRCP 11 and Nevada's vexatious litigant case law. Jones v. Eighth Judicial Dist. Court, 130 Nev., Adv. Op. 53, 330 P.3d 475, 480 (2014).