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

4 IN THE ADMINISTRATIVE MATTER
5 RELATED TO REQUIRING APPEARANCES
6 BY ALTERNATIVE MEANS, MANDATORY
7 FACE COVERINGS, SUSPENDING IN-
8 PERSON MEETINGS, CLOSING CLERK'S
9 OFFICE, DEPOSITIONS, SUSPENDING JURY
10 TRIALS, SUBPOENAS, AND SUSPENDING
11 THE GRAND JURY IN RESPONSE TO COVID-
12 19

Administrative Order: 20-24

13 On March 12, 2020, Governor Steve Sisolak issued a Declaration of Emergency in
14 response to the COVID-19 pandemic. The next day, March 13, 2020, the President of the
15 United States declared a nationwide emergency pursuant to Section 501(6) of the Robert
16 T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207. To
17 mitigate the spread of this deadly virus, the Centers for Disease Control recommends
18 putting as much distance between people as possible and wearing face coverings.
19 Governor Sisolak, in Directive 021, also recommends social distancing and mandates the
20 wearing of face masks by employees interfacing with the public.

21 The Nevada Constitution provides in Article 3 § 1 that, "The powers of the
22 Government of the State of Nevada shall be divided into three separate departments,—the
23 Legislative,—the Executive and the Judicial; and no persons charged with the exercise of
24 powers properly belonging to one of these departments shall exercise any functions,
25 appertaining to either of the others, except in the cases expressly directed or permitted in
26 this constitution." The Nevada Supreme Court has also found that "In addition to the
27 constitutionally expressed powers and functions of each Department, (the Legislative, the
28 Executive, and the Judicial) each possesses inherent and incidental powers that are

1 properly termed ministerial. Ministerial functions are methods of implementation to
2 accomplish or put into effect the basic function of each Department.” Galloway v.
3 Truesdell, 83 Nev. 13, 21, 422 P.2d 237, 243 (1967).
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5 Rule 1.30(b) of the Rules of Practice for the Eighth Judicial District Court charges
6 the Chief Judge of the Eighth Judicial District Court with various responsibilities,
7 including supervising the administrative business of the District Court, ensuring the
8 quality and continuity of Court services, supervising the Court calendar, reassigning
9 cases as convenience or necessity requires, assuring the Court’s duties are timely and
10 orderly performed, and otherwise facilitating the business of the district court.
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12 Following the March 12, 2020 Declaration of Emergency, the District Court, in
13 consultation with the Nevada Supreme Court, concurred with the Governor and exercised
14 its ministerial judicial powers. Through the course of the pandemic, the District Court
15 entered a number of Administrative Orders on an emergency basis. Those orders
16 included Administrative Orders 20-01 through 20-14 and 20-16. Administrative Orders
17 20-01 through 20-14 and 20-16 were superseded by Administrative Order 20-17.
18 Administrative Order 20-17 was followed with Administrative Orders 20-22 and 20-23.
19 These Orders changed Court procedures to minimize person-to-person contact and
20 mitigate the risk associated with the COVID-19 pandemic, while continuing to provide
21 essential Court services.
22

23 On November 11, 2020, Governor Sisolak announced an alarming increase in new
24 COVID-19 cases in Nevada. The Governor requested all individuals to stay in as much
25 as possible, and to wear face coverings at all times. Beginning on November 24, 2020,
26 Governor Sisolak announced a statewide “pause” to further mitigate the spread of
27 COVID-19.
28

1 This order, effective November 24, 2020, continues the District Court's response
2 to the COVID-19 pandemic and allows the business of the Court to go forward safely.
3 Administrative Order 20-17 remains in effect, except as modified by this Administrative
4 Order. This Administrative Order supersedes Administrative Orders 20-22 and 20-23, so
5 that the operative orders for the District Court related to the pandemic are currently
6 Administrative Order 20-17 and this Order, 20-24.
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8 **SAFETY AND PRECAUTIONS**

9 **Appearances by Alternative Means Required**

10 Effective November 25, 2020 through January 11, 2021, due to restrictions on
11 entrants to the Court facilities and to reduce the potential for the spread of infection,
12 appearances by alternative means are required by all lawyers and litigants, with the
13 exception of in-custody defendants appearing in the Lower Level Arraignment
14 Courtroom. This includes all case types. No in-person appearances shall be made by
15 lawyers or litigants unless the assigned District Court Judge or Hearing Master
16 determines that there is an extraordinary circumstance requiring a personal appearance.
17

18 Video appearance is strongly preferred over other methods of appearance by
19 alternative means, and required in criminal, dependency, and delinquency cases unless
20 prevented by technological issues. Lawyers representing indigent clients are urged to
21 provide assistance to clients who do not have the independent ability to appear by
22 alternative means.
23

24 Attorneys, parties, and witnesses are reminded that alternative means still
25 constitutes a court appearance and attire should remain professional and court
26 appropriate. Also, for the safety of the community and for the quality of the audio
27 recording, no appearances by alternative means should be made while driving.
28

1 **Mandatory Face Coverings Required at All Times**

2 In keeping with the Governor’s announcement and the policy of Clark County, all
3 District Court judges and employees are required to wear face coverings at all times
4 while in the workplace except while eating or drinking during breaks. This includes all
5 areas of court facilities, including parking lots. Face coverings must cover the nose and
6 mouth at all times. Face coverings must comply with CDC guidelines and coverings with
7 vents or made out of mesh are not permitted. Face shields may be worn with a mask as
8 added protection, but may not be worn alone.
9

10 This Administrative Order modifies the mandatory face covering provisions found
11 in AO 20-17. Administrative Order 20-17 previously allowed district court employees to
12 not wear a face covering if they worked alone in an unshared workspace.
13

14 The provisions of Administrative Order 20-17 requiring all attorneys, vendors and
15 employees of any organization or entity who work in a Court facility to wear face
16 coverings at all times while in any common areas of the facility remain in effect.
17 Common areas include, but are not limited to, security screening, lobby areas, public
18 elevators, employee elevators, shared back hallways, public restrooms, and courtrooms.
19

20 **In-Person Meetings Suspended Until January 11, 2021**

21 Until January 11, 2021, outside of individual departments, no in-person gatherings
22 or meetings may be held to discuss court business. Meetings include, but are not limited
23 to: judges meetings; executive committee meetings; bench-bar meetings; any meetings
24 with community partners; specialty court staffing; specialty court graduations;
25 administrative department meetings; continuing education meetings; and meetings of any
26 judges and/or hearing masters within a particular case assignment. Meetings should go
27 forward, but must be conducted by telephone, teleconference, videoconference, or other
28 alternative means.

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GENERAL PROVISIONS

Clerk's Office Remains Closed to In-Person Filing

For the safety of the clerks and to minimize building traffic, the District Court Clerk's Offices at both the Regional Justice Center and the Family Court remain closed for in-person filings until further notice.

Filings must be completed electronically. For self-represented litigants who do not have the ability to electronically file documents, documents may be mailed as follows:

District Court Civil/Criminal Division
Attn: Clerk's Office
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89155

District Court Family Division
Attn: Clerk's Office
Family Court
601 N. Pecos Rd.
Las Vegas, NV 89155

The Clerk's Office shall maintain a safety protocol for clerks tasked with opening mail and handling paper documents. Other than mail, no paper documents will be accepted by the Court. Call (702) 455-4472 with questions regarding filing.

Depositions

No in-person depositions shall proceed prior to January 11, 2021 unless the parties and witness agree for the deposition to go forward in-person or by order of the court obtained after filing a motion demonstrating an extraordinary circumstance warranting the need for an in-person deposition.

1 **Hearings and Bench Trials**

2 Hearings of all sorts, including evidentiary hearings, in all case types should
3 proceed through use of alternative means.
4

5 Bench trials in all case types should go forward as outlined in AO 20-17 as long as
6 the trial may be accomplished by the use of alternative means. Appearances by
7 witnesses, parties, and lawyers must be by alternative means unless the District Court
8 Judge finds that (1) a personal appearance by an individual is necessary to conduct the
9 proceeding and (2) extraordinary circumstances require the proceeding to go forward at
10 this time.

11 **Formatting of Electronic Signature Block for Proposed Orders**

12 Proposed orders sent to a department’s inbox as outlined in AO 20-17 need only
13 include a blank line for the judge’s signature, e.g. _____. Orders do
14 not need a date, judge’s name, or judge’s title. Sufficient space should be allowed above
15 and below the signature line for the judge’s signature and the electronic stamp including
16 date, title, and name of the judge.
17

18 **Jury Trials Suspended Until January 11, 2021**

19 By way of AO 20-23, jury trials currently scheduled to begin prior to November
20 30, 2020, were continued. All District Court jury trials, including short jury trials, remain
21 continued through January 11, 2021.
22

23 Once trials resume, the District Court’s COVID-19 Jury Trial Plan for safely
24 resuming trials will remain in effect.

25 **January 4 and 5, 2021 Matters Continued**

26 The District Court is facing a massive case reassignment to accommodate twenty-
27 two new judges beginning on January 4. As a result, no hearings will be scheduled for
28 January 4 or January 5, 2021 other than criminal arraignment court, TPO, child

1 dependency or delinquency, or matters deemed to be an emergency by the assigned
2 judge. Any hearings currently set on those days must be rescheduled.

3 4 **CIVIL MATTERS**

5 **Subpoenas**

6 Attorneys no longer must obtain advance approval from the discovery
7 commissioner to issue subpoenas under NRCP 45. The subpoena provision found in AO
8 20-17 is rescinded. Attorneys are reminded to notice and provide a copy of the subpoena
9 to other parties before service under NRCP 45(a)(4)(A). The District Court expects
10 attorneys to cooperate when there are difficulties in obtaining documents due to issues
11 arising from COVID-19.

12 **CRIMINAL MATTERS**

13 **Grand Jury Proceeding Suspended Until January 11, 2021**

14 The three currently existing grand juries will remain and are not excused. To
15 complete presentments in process, the grand juries will meet the week of November 30,
16 2020. Grand jury proceedings are suspended from December 7, 2020 until January 11,
17 2021.

18 **DOMESTIC MATTERS**

19 **Family Mediation Center**

20 The Family Mediation Center will discontinue in-person mediations and provide
21 mediation services via telephone or other alternative means until January 11, 2020. All
22 child interviews and parent-child observations will be continued until after January 11,
23 2020.

24 **Donna's House**

25 Donna's House may continue providing supervised visitation, supervised custody
26 exchanges and other in-person services by appointment only. Donna's House must
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1 continue to follow protocols in place to ensure the health and safety of staff and patrons,
2 including ensuring occupancy does not exceed twenty-five percent of capacity.

3 **Court Appointed Special Advocate Program**

4 Through January 11, 2021, CASA must hold all trainings, orientations, and other
5 meetings by telephone or through alternative means.

6 **COURT FACILITIES**

7 **Regional Justice Center**

8 The District Court maintains responsibility for security in the RJC. In that regard,
9 the District Court has serious concerns about the health and safety of people entering the
10 building, particularly in regard to the number of people entering the building during
11 morning hours. Our co-tenants are strongly encouraged to consider alternatives to reduce
12 the number of people entering the building including allowing/requiring appearances by
13 alternative means, expanding court times/days, continuing non-essential cases, having
14 employees work from home where possible, or any other means that may reduce building
15 numbers. The District Court remains willing to assist however possible in these efforts.

16 **Self-Help Centers**

17 The Family Law Self-Help Center located at Family Court and the Civil Law Self-
18 Help Center located at the Regional Justice Center will stop providing in-person services
19 to the public. All services will be provided via telephone, email, and other alternative
20 means.

21 The Civil Law Self Help Center can be reached via e-mail at clshcinfo@lascn.org
22 and via telephone at (702) 671-3976.

23 The Family Law Self-Help Center can be reached via e-mail at
24 flshcinfo@lacsnc.org and via telephone at (702) 455-1500 or (702) 386-1070.

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2 **FINAL PROVISIONS**

3 Except where otherwise noted, this order will be reviewed every 30 days and
4 remain in effect until modified or rescinded by a subsequent order.

5 Dated this 24th day of November, 2020

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8 209 147 F6C1 8258
9 Linda Marie Bell
10 District Court Judge