

FILED

FEB 24 2021


CLERK OF COURT

EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

IN THE ADMINISTRATIVE MATTER OF
SUSPENDING CERTAIN DISTRICT COURT
RULES TO CONFORM TO THE STATEWIDE
RULES OF CRIMINAL PRACTICE.

Administrative Order: 21-02

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).

The Nevada Supreme Court adopted the Rules of Criminal Practice for the District Courts (N.R.Cr.P.). *In re the Creation of a Comm. On Statewide Rules of Criminal Procedure*, ADKT 491 (Order Adopting Statewide Rules of Criminal Practice, Dec. 29, 2020). The rules become effective March 1, 2021, and "supersede and replace any local district court rules concerning criminal actions." N.R.Cr.P. 1. The "rules do not apply to juvenile proceedings or post-conviction proceedings." *Id.*

For the benefit of the bar and to ease confusion until the Eighth Judicial District Court amends its local rules to conform to the Nevada Rules of Criminal Practice, the EJDC will suspend the following Eighth Judicial District Court Rules:

Rule 3.20 (a) –(d) – Motions,

Rule 3.24 – Discovery motions,

Rule 3.28 – Motions in limine,

Rule 3.40 – Writs of habeas corpus,

1 Rule 3.44 – Stay orders,
2 Rule 3.50 – Extending time,
3 Rule 3.60 – Shortening time, and
4 Rule 3.80 – Release from custody; bail reduction.
5

6 These rules are either repetitive or inconsistent with the Rules of Criminal
7 Practice.

8 Cases in the Eighth Judicial District will continue to be assigned pursuant to
9 EDCR 1.64 (Assignment of Criminal Cases) and EDCR 1.70 (Cases to be calendared to
10 preserve track and team system). Also, Rule 3.10 (Consolidation and reassignment)
11 remains in effect. In keeping with the spirit of the new Rules of Criminal Practice,
12 lawyers are reminded under our existing rules, lawyers may request new cases be
13 reassigned to a department in which a defendant already has a pending case.
14

15 Per EDCR 3.20, either side may still place a matter on a criminal law and motion
16 calendar by oral request no later than 11 a.m. the business day prior to the hearing. This is
17 permitted for a resolution (entry of plea or dismissal) or to “bring to the court a matter of
18 an emergency nature.” Counsel are reminded that the rule expressly states that “[a]n oral
19 request to the clerk to place a case on the calendar for the hearing of any other matter is
20 improper.”

21 To the extent any rule in EDCR Part VII (7.01 – 7.90) conflicts with the Nevada
22 Rules of Criminal Practice, note that the Nevada Rules of Criminal Practice supersede
23 those rules. EDCR 7.30, 7.40, and 7.70 are notably impacted.
24

25 This Order takes effect March 1, 2021.

Dated this 24th day of February, 2021

26 

27
28 2B8 69D 53A3 4DD2
Linda Marie Bell
District Court Judge