

FILED

DEC 22 2021


CLERK OF COURT

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

IN THE ADMINISTRATIVE MATTER OF
INTERIM PROCEDURES FOR THE PROBATE
DEPARTMENT.

Administrative Order: 21-08

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).

Rule 4.03 of the Eighth Judicial District Court Rules, Probate commissioner, generally.

Until a new probate commissioner is selected pursuant to Administrative Order 13-05, all probate and trust matters currently heard by the probate department will be heard by a senior judge. As a result, and subject to Rule 4.08 or as modified by the instant Administrative Order, Rule 4.03 of the EDCR shall be immediately suspended. All pending or newly filed probate and trust proceedings shall be referred to the probate department to be heard by a senior judge who shall hear the matter sitting for the assigned district court judge. Any ruling by the senior judge shall be entered as an order of the court and not a report and recommendation.

In the event that any pending matter before the probate department or newly filed probate or trust matter is referred to a special master or commissioner, Rules 4.03(d), 4.04, 4.05, 4.06 and Rule 4.07 shall apply to any ruling made by the special master or commissioner.

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1 Rule 4.08 of the Eighth Judicial District Court Rules, Transfer to the probate judge.

2 In any case in which a contested matter has been heard prior to November 15, 2021, Rule
3 4.08 of the EDCR shall be immediately suspended until a new probate commissioner is selected.

4 Any party to such a contested matter may elect to have the remainder of the proceedings heard
5 by the assigned probate judge. The party must file a Request to Transfer to Probate Judge,
6 accompanied by the Scheduling Order. The Request and Order must be emailed to the inbox for
7 the assigned department.
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9 Any party to a newly filed matter or any matter in which a contested hearing has not been
10 heard may elect to have the matter heard by the probate judge assigned to the matter pursuant to
11 the provisions of EDCR 4.08. The Request to Transfer to Probate Judge shall be filed and
12 emailed to the inbox for the probate department and the department assigned to the matter no
13 later than 4:00 p.m. on Monday of the week the matter is to be heard. The probate department
14 shall remove the matter from the calendar.
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16 Any Request to Transfer to Probate Judge shall specifically identify the following, with
17 the appropriate box marked:
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- 20 Schedule Evidentiary Hearing—discovery completed
 - 21 Schedule Evidentiary Hearing—discovery plan needed
 - 22 Schedule Oral Argument on matter of law—fully briefed
 - 23 Schedule Oral Argument on matter of law—briefing schedule needed
- 24

25 After receiving the Request to Transfer, the assigned department shall calendar the matter
26 for hearing on the next available hearing date and specifically set forth the scope of the hearing.
27 The scope of the hearing will indicate whether the hearing is to set a discovery plan, an
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1 evidentiary hearing, briefing schedule, or oral argument on any matter fully briefed. Parties are
2 encouraged to submit a stipulation and order with agreed upon discovery plan, or briefing
3 schedules by 4:00 p.m. on Monday of the week the matter is to be heard. Any stipulation and
4 order submitted shall vacate the pending hearing date and leave space for the department to
5 include a new hearing date for the evidentiary hearing or oral argument.
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7 Rule 4.17, Discovery in contested / litigated matters.

8 Except as otherwise provided, the remaining provisions Part IV of the EDCR pertaining
9 to Probate; Trusts and the Administration of Estate shall continue to apply to any matter referred
10 to a senior judge, special master or commissioner for hearing as set forth herein.
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12 This order takes effect upon filing.

Dated this 20th day of December, 2021

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Linda Marie Bell
District Court Judge
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