

ASSEMBLY BILL NO. 118—COMMITTEE ON JUDICIARY
(ON BEHALF OF ADMINISTRATIVE OFFICE OF THE COURTS)

FEBRUARY 4, 1999

Referred to Committee on Judiciary

SUMMARY—Provides that trials and other proceedings in justices' courts must be conducted without juries. (BDR 1-838)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to courts; providing that trials and other proceedings in justices' courts must be conducted without juries; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 4.370 is hereby amended to read as follows:
2 4.370 1. Except as ~~limited by~~ ***otherwise provided in*** subsection 2,
3 justices' courts have jurisdiction of the following civil actions and
4 proceedings and no others except as ***otherwise*** provided by specific statute:
5 (a) In actions arising on contract for the recovery of money only, if the
6 sum claimed, exclusive of interest, does not exceed \$7,500.
7 (b) In actions for damages for injury to the person, or for taking,
8 detaining or injuring personal property, or for injury to real property where
9 no issue is raised by the verified answer of the defendant involving the title
10 to or boundaries of the real property, if the damage claimed does not
11 exceed \$7,500.
12 (c) Except as otherwise provided in paragraph (l) in actions for a fine,
13 penalty or forfeiture not exceeding \$7,500, given by statute or the
14 ordinance of a county, city or town, where no issue is raised by the answer
15 involving the legality of any tax, impost, assessment, toll or municipal fine.

1 (d) In actions upon bonds or undertakings conditioned for the payment
2 of money, if the sum claimed does not exceed \$7,500, though the penalty
3 may exceed that sum. Bail bonds and other undertakings posted in criminal
4 matters may be forfeited regardless of amount.

5 (e) In actions to recover the possession of personal property, if the value
6 of the property does not exceed \$7,500.

7 (f) To take and enter judgment on the confession of a defendant, when
8 the amount confessed, exclusive of interest, does not exceed \$7,500.

9 (g) Of actions for the possession of lands and tenements where the
10 relation of landlord and tenant exists, when damages claimed do not
11 exceed \$7,500 or when no damages are claimed.

12 (h) Of actions when the possession of lands and tenements has been
13 unlawfully or fraudulently obtained or withheld, when damages claimed do
14 not exceed \$7,500 or when no damages are claimed.

15 (i) Of suits for the collection of taxes, where the amount of the tax sued
16 for does not exceed \$7,500.

17 (j) Of actions for the enforcement of mechanics' liens, where the
18 amount of the lien sought to be enforced, exclusive of interest, does not
19 exceed \$7,500.

20 (k) Of actions for the enforcement of liens of owners of facilities for
21 storage, where the amount of the lien sought to be enforced, exclusive of
22 interest, does not exceed \$7,500.

23 (l) In actions for a fine imposed for a violation of NRS 484.757.

24 (m) Except in a judicial district that includes a county whose population
25 is 100,000 or more, in any action for the issuance of a temporary or
26 extended order for protection against domestic violence.

27 (n) In small claims actions under the provisions of chapter 73 of NRS.

28 (o) In actions to contest the validity of liens on mobile homes or
29 manufactured homes.

30 (p) In any action pursuant to NRS 200.591 for the issuance of a
31 protective order against a person alleged to be committing the crime of
32 stalking, aggravated stalking or harassment.

33 2. The jurisdiction conferred by this section does not extend to civil
34 actions, other than for forcible entry or detainer, in which the title of real
35 property or mining claims or questions affecting the boundaries of land are
36 involved.

37 3. Justices' courts have jurisdiction of all misdemeanors and no other
38 criminal offenses except as otherwise provided by specific statute.

39 4. Except as otherwise provided in subsections 5 and 6, in criminal
40 cases the jurisdiction of justices of the peace extends to the limits of their
41 respective counties.

1 5. In the case of any arrest made by a member of the Nevada highway
2 patrol, the jurisdiction of the justices of the peace extends to the limits of
3 their respective counties and to the limits of all counties which have
4 common boundaries with their respective counties.

5 6. Each justice's court has jurisdiction of any violation of a regulation
6 governing vehicular traffic on an airport within the township in which the
7 court is established.

8 7. *Actions commenced in justices' courts pursuant to the*
9 *jurisdictional amounts set forth in this section, including, without*
10 *limitation, small claims actions commenced pursuant to the provisions of*
11 *chapter 73 of NRS, shall be deemed petty. The trial and other*
12 *proceedings in such cases must be conducted without a jury.*

13 Sec. 2. This act becomes effective on July 1, 1999.