

ASSEMBLY BILL NO. 50—COMMITTEE ON JUDICIARY

PREFILED JANUARY 22, 1999

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to authority of chief judges in certain judicial districts.
(BDR 1-374)

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 ~~[omitted material]~~ is material to be omitted.

AN ACT relating to the court system; revising the provisions relating to the authority of a chief judge in a judicial district that includes a county whose population is 100,000 or more; providing for the establishment of procedures for addressing certain grievances of parties in such a judicial district; 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.** Chapter 3 of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 2 to 5, inclusive, of this act.
3 **Sec. 2.** *As used in this chapter, unless the context otherwise requires,*
4 *the words and terms defined in sections 3 and 4 of this act have the*
5 *meanings ascribed to them in those sections.*
6 **Sec. 3.** *“Chief judge” means a district judge who is chosen as the*
7 *chief judge of a judicial district pursuant to NRS 3.025.*
8 **Sec. 4.** *“Family court” means the division of the district court that is*
9 *established as a family court pursuant to NRS 3.0105.*
10 **Sec. 5. 1.** *In each judicial district that includes a county whose*
11 *population is 100,000 or more, in addition to the other duties set forth in*
12 *NRS 3.025:*
13 **(a)** *The chief judge shall ensure that:*
14 **(1)** *The procedures which govern the consideration and disposition*
15 *of cases and other proceedings within the jurisdiction of the district court*
16 *are applied as uniformly as practicable; and*

1 (2) Cases and other proceedings within the jurisdiction of the district
2 court are considered and decided in a timely manner.

3 (b) Except as otherwise provided in subsection 2, the chief judge shall
4 establish procedures for addressing grievances that are:

5 (1) Submitted to the chief judge by a party in a case or other
6 proceeding within the jurisdiction of the district court; and

7 (2) Directly related to the administration of the case or other
8 proceeding.

9 2. For the purposes of paragraph (b) of subsection 1, a party in a case
10 or other proceeding within the jurisdiction of the district court may not
11 submit to the chief judge a grievance that:

12 (a) Addresses, in whole or in part, the merits of the case or other
13 proceeding; or

14 (b) Challenges, in whole or in part, the merits of any decision or ruling
15 in the case or other proceeding that is made by:

16 (1) The district court; or

17 (2) A master or other person who is acting pursuant to an order of
18 the district court or pursuant to any authority that is granted to the master
19 or other person by a specific statute, including, without limitation, NRS
20 3.405, 3.475 and 3.500.

21 **Sec. 6.** NRS 3.0105 is hereby amended to read as follows:

22 3.0105 1. There is hereby established, in each judicial district that
23 includes a county whose population is 100,000 or more, a family court as a
24 division of the district court.

25 2. If the caseload of the family court so requires, the ~~{presiding judge~~
26 ~~of the district, or the district judges by mutual consent in a district in which~~
27 ~~there is no presiding judge,}~~ **chief judge** may assign one or more **district**
28 judges of the **judicial** district to act temporarily as judges of the family
29 court.

30 3. If for any reason a judge of the family court is unable to act, any
31 other district judge of the judicial district may be assigned as provided in
32 subsection 2 to act temporarily as judge of the family court.

33 4. A **district** judge assigned to the family court pursuant to subsection 2
34 or 3 for a period of 90 or more days must attend the instruction required
35 pursuant to subsection 1 of NRS 3.028. ~~{Judges}~~ **District judges** must not
36 be assigned to the family court pursuant to subsections 2 and 3 on a rotating
37 basis.

38 **Sec. 7.** NRS 3.025 is hereby amended to read as follows:

39 3.025 1. ~~{For the second and eighth judicial districts,}~~ **In each**
40 **judicial district that includes a county whose population is 100,000 or**
41 **more,** the district judges **of that judicial district** shall ~~{, on the first judicial~~

- 1 ~~day of each year,]~~ choose from among ~~[the judges of each district a]~~ *those*
2 *district judges a chief judge who is to be the* presiding judge of the *judicial*
3 district.
- 4 2. The ~~[presiding judge of the district]~~ *chief judge* shall:
- 5 (a) Assign cases to each judge in the *judicial* district;
- 6 (b) Prescribe the hours of court; ~~[and]~~
- 7 (c) Adopt such other rules or regulations as are necessary for the orderly
8 conduct of court business ~~[-~~
- 9 ~~—3.— On or before the 15th day of the month following, the presiding~~
10 ~~judge of the district] ; and~~
- 11 *(d) Perform all other duties of the chief judge or of a presiding judge*
12 *that are set forth in this chapter and any other provision of NRS.*
- 13 3. *Not later than 15 days after the last day of each month, the chief*
14 *judge* shall submit ~~[a written report]~~ to the clerk of the supreme court ~~[each~~
15 ~~month, showing:]~~ *a written report that shows:*
- 16 (a) Those cases which are pending and undecided and to which judge
17 the cases have been assigned;
- 18 (b) The type and number of cases each judge considered during the
19 preceding month;
- 20 (c) The number of cases submitted to each judge during the preceding
21 month;
- 22 (d) The number of cases decided by each judge during the preceding
23 month; and
- 24 (e) The number of full judicial days in which each judge appeared in
25 court or in chambers in performance of his duties during the preceding
26 month.
- 27 **Sec. 8.** This act becomes effective on July 1, 1999.