

SENATE BILL NO. 30—SENATOR AMODEI

PREFILED JANUARY 25, 1999

Referred to Committee on Judiciary

SUMMARY—Increases monetary limits relating to small claims in justices' courts. (BDR 1-1032)

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

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

AN ACT relating to justices' courts; increasing the monetary limit of claims adjudicated in justices' courts pursuant to the procedure for small claims; 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 4.060 is hereby amended to read as follows:
2 4.060 1. Except as otherwise provided in this section, each justice of
3 the peace shall charge and collect the following fees:
4 (a) On the commencement of any action or proceeding in the
5 justice's court, other than in actions commenced pursuant to
6 chapter 73 of NRS, to be paid by the party commencing the
7 action:
8 If the sum claimed does not exceed \$1,000 \$28.00
9 If the sum claimed exceeds \$1,000 but does not exceed
10 \$2,500.....50.00
11 If the sum claimed exceeds \$2,500 but does not exceed
12 \$4,500.....100.00
13 If the sum claimed exceeds \$4,500 but does not exceed
14 \$6,500.....125.00
15 If the sum claimed exceeds \$6,500 but does not exceed
16 \$7,500.....150.00
17 In all other civil actions 28.00

- 1 (b) For the preparation and filing of an affidavit and order in
2 an action commenced pursuant to chapter 73 of NRS:
3 If the sum claimed does not exceed \$1,00025.00
4 If the sum claimed exceeds \$1,000 but does not exceed
5 \$2,50045.00
6 If the sum claimed exceeds \$2,500 but does not exceed
7 ~~1~~~~\$3,500~~ \$5,00065.00
8 (c) On the appearance of any defendant, or any number of
9 defendants answering jointly, to be paid him or them on filing
10 the first paper in the action, or at the time of appearance:
11 In all civil actions 12.00
12 For every additional defendant, appearing separately 6.00
13 (d) No fee may be charged where a defendant or defendants
14 appear in response to an affidavit and order issued pursuant to
15 the provisions of chapter 73 of NRS.
16 (e) For the filing of any paper in intervention6.00
17 (f) For the issuance of any writ of attachment, writ of
18 garnishment, writ of execution, or any other writ designed to
19 enforce any judgment of the court6.00
20 (g) For filing a notice of appeal, and appeal bonds12.00
21 One charge only may be made if both papers are filed at the
22 same time.
23 (h) For issuing supersedeas to a writ designed to enforce a
24 judgment or order of the court 12.00
25 (i) For preparation and transmittal of transcript and papers on
26 appeal 12.00
27 (j) For celebrating a marriage and returning the certificate to
28 the county recorder35.00
29 (k) For entering judgment by confession.....6.00
30 (l) For preparing any copy of any record, proceeding or
31 paper, for each page.....30
32 (m) For each certificate of the clerk, under the seal of the
33 court 3.00
34 (n) For searching records or files in his office, for each year 1.00
35 (o) For filing and acting upon each bail or property bond 40.00
36 2. A justice of the peace shall not charge or collect any of the fees set
37 forth in subsection 1 for any service rendered by him to the county in which
38 his township is located.
39 3. A justice of the peace shall not charge or collect the fee pursuant to
40 paragraph (j) of subsection 1 if he performs a marriage ceremony in a
41 commissioner township.

1 4. Except as otherwise provided by an ordinance adopted pursuant to
2 the provisions of NRS 244.207, the justice of the peace shall, on or before
3 the fifth day of each month, account for and pay to the county treasurer all
4 fees collected during the preceding month, except for the fees he may retain
5 as compensation and the fees he is required to pay to the state treasurer
6 pursuant to subsection 5.

7 5. The justice of the peace shall, on or before the fifth day of each
8 month, pay to the state treasurer half of the fees collected pursuant to
9 paragraph (o) of subsection 1 during the preceding month. The state
10 treasurer shall deposit the money in the fund for the compensation of
11 victims of crime.

12 **Sec. 2.** NRS 73.010 is hereby amended to read as follows:

13 73.010 In all cases arising in the justice's court for the recovery of
14 money only, where the amount claimed does not exceed ~~[\$3,500]~~ \$5,000
15 and the defendant named:

16 1. Is a resident of;

17 2. Does business in; or

18 3. Is employed in,

19 the township in which the action is to be maintained, the justice of the
20 peace may proceed as provided in this chapter and by rules of court.

21 **Sec. 3.** The amendatory provisions of this act apply only to an action
22 filed on or after October 1, 1999.