

ASSEMBLY BILL NO. 110—COMMITTEE ON JUDICIARY

(ON BEHALF OF CLARK COUNTY)

FEBRUARY 12, 2001

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing summoning of jurors by justice's court in certain counties. (BDR 6-179)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 juries; revising the provisions governing the summoning of jurors by a justice's court in certain counties; 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 66.020 is hereby amended to read as follows:
2 66.020 1. The court may, at any time before the trial, on motion,
3 change the place of trial in the following cases:
4 (a) When it appears to the satisfaction of the justice before whom the
5 action is pending, by affidavit of either party, that the justice is a material
6 witness for either party.
7 (b) When either party makes and files an affidavit that he believes that
8 he cannot have a fair and impartial trial before the justice by reason of the
9 interest, prejudice or bias of the justice.
10 (c) When a jury has been demanded, and either party makes and files an
11 affidavit that he cannot have a fair and impartial trial on account of the bias
12 or prejudice *against him* of the citizens of ~~the township against him.~~ :
13 ***(1) The city, precinct or township, if the jurors are to be summoned***
14 ***pursuant to subsection 1 of NRS 67.010; or***
15 ***(2) The county, if the jurors are to be summoned pursuant to***
16 ***subsection 2 of NRS 67.010.***
17 (d) When from any cause the justice is disqualified from acting.
18 (e) When the justice is sick or unable to act.



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1 2. In lieu of changing the place of trial, the justice before whom the
2 action is pending may for any of the cases mentioned in subsection 1 call
3 another justice of the county to conduct the trial.

4 **Sec. 2.** NRS 67.010 is hereby amended to read as follows:

5 67.010 1. The jury ~~{shall}~~ **must** be summoned upon an order of the
6 justice from **, except as otherwise provided in subsection 2,** the citizens of
7 the city, precinct or township, and not from the bystanders.

8 **2. In a county in which a person has been designated as jury**
9 **commissioner pursuant to subsection 1 of NRS 6.045, the justice may**
10 **request that the jury commissioner select and assign to the court, from**
11 **the citizens of the county, and not from the bystanders, the number of**
12 **qualified jurors which the justice determines is necessary for the**
13 **formation of a jury.**

14 **Sec. 3.** NRS 67.020 is hereby amended to read as follows:

15 67.020 1. At the time appointed for the trial **,** the justice shall
16 proceed to call from the jurors summoned the names of the persons to
17 constitute the jury for the trial of the issue. If a sufficient number of
18 competent and indifferent jurors do not attend, the justice shall direct
19 ~~{others to}~~ **that additional jurors sufficient to complete the jury** be
20 summoned ~~. {from the vicinity, and not from the bystanders, sufficient to~~
21 ~~complete the jury.}~~

22 2. The jury, by consent of the parties, may consist of any number not
23 more than eight nor less than four.

24 **Sec. 4.** NRS 6.045 is hereby amended to read as follows:

25 6.045 1. The district court may by rule of court designate the clerk of
26 the court, one of his deputies or another person as a jury commissioner, and
27 may assign to the jury commissioner such administrative duties in
28 connection with trial juries and jurors as the court finds desirable for
29 efficient administration.

30 2. ~~{If a jury commissioner is so selected, he shall from time to time~~
31 ~~estimate}~~ **A person who is designated as jury commissioner pursuant to**
32 **subsection 1 shall:**

33 **(a) Estimate** the number of trial jurors which will be required for
34 attendance on the district court and ~~{shall}~~ select that number from the
35 qualified electors of the county not exempt by law from jury duty, whether
36 registered as voters or not.

37 **(b) Upon the request of a justice of the peace pursuant to subsection 2**
38 **of NRS 67.010, select and assign to the justice's court the requested**
39 **number of jurors from the qualified electors of the county not exempt by**
40 **law from jury duty, whether or not registered as voters.**

41 3. The jurors **selected by the jury commissioner pursuant to this**
42 **section** may be selected by computer ~~{whenever}~~ **if** procedures to assure
43 random selection from computerized lists are established by the jury
44 commissioner. ~~{He}~~ **The jury commissioner** shall keep a record of the
45 name, occupation and address of each person selected.

46 **Sec. 5.** This act becomes effective on July 1, 2001.

