

ASSEMBLY BILL NO. 239—COMMITTEE ON JUDICIARY

FEBRUARY 26, 2001

Referred to Committee on Judiciary

SUMMARY—Authorizes board of county commissioners to impose additional fee for filing certain actions and responses thereto in district courts and justices' courts to offset costs of providing pro bono programs and of providing legal services without charge to abused or neglected children, victims of domestic violence and other needy persons. (BDR 2-298)

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 fees in civil actions; authorizing a board of county commissioners to impose an additional fee for the filing of certain actions and responses thereto in district courts and justices' courts to offset a portion of the costs of providing pro bono programs and of providing legal services without a charge to abused or neglected children, victims of domestic violence and other needy persons; 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 19 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 1. *Except as otherwise provided in subsection 2, in addition to any*
4 *other fee required by law, in each county that charges a fee pursuant to*
5 *NRS 19.031 to offset a portion of the costs of providing legal services*
6 *without a charge to indigent or elderly persons, a board of county*
7 *commissioners may impose by ordinance a filing fee to offset a portion of*
8 *the costs of providing pro bono programs and of providing legal services*
9 *without a charge to abused or neglected children, victims of domestic*
10 *violence and other needy persons to be remitted to the organization*
11 *operating the program for legal services that receives the fees charged*
12 *pursuant to NRS 19.031 for programs for the indigent in an amount not*
13 *to exceed:*

14 (a) *Five dollars to be paid on the commencement of any civil action or*
15 *proceeding in the district court for which a filing fee is required and on*
16 *the filing of any answer or appearance in any such action or proceeding*
17 *for which a filing fee is required.*



* A B 2 3 9 R 1 *

1 (b) Twenty-five dollars to be paid on the filing of any motion or other
2 paper that seeks to modify or adjust a final order that was issued
3 pursuant to chapter 125, 125B or 125C of NRS and on the filing of any
4 answer or response to such a motion or other paper.

5 2. A board of county commissioners may not by ordinance impose a
6 filing fee pursuant to paragraph (b) of subsection 1 for:

7 (a) A motion filed solely to adjust the amount of support for a child set
8 forth in a final order; or

9 (b) A motion for reconsideration or for a new trial that is filed within
10 10 days after a final judgment or decree has been issued.

11 3. On or before the first Monday of each month, in a county in which
12 a fee has been imposed pursuant to subsection 1, the county clerk shall
13 account for and pay over to the county treasurer any such fees collected
14 by him during the preceding month. The county treasurer shall remit
15 quarterly to the organization to which the fees are to be paid pursuant to
16 subsection 1 all the money received by him from the county clerk.

17 4. Any fees collected pursuant to this section must be used for the
18 benefit of the persons to whom the organization operating the program
19 for legal services that receives money pursuant to this section provides
20 legal services without a charge.

21 **Sec. 2.** Chapter 4 of NRS is hereby amended by adding thereto a new
22 section to read as follows:

23 1. In addition to any other fee required by law, in each county that
24 charges a fee pursuant to NRS 19.031 to offset a portion of the costs of
25 providing legal services without a charge to indigent or elderly persons, a
26 board of county commissioners may impose by ordinance a filing fee to
27 offset a portion of the costs of providing pro bono programs and of
28 providing legal services without a charge to abused or neglected children,
29 victims of domestic violence and other needy persons to be remitted to the
30 organization operating the program for legal services that receives the
31 fees charged pursuant to NRS 19.031 for programs for the indigent in an
32 amount not to exceed \$5 to be paid on the commencement of any action
33 or proceeding in the justice's court for which a filing fee is required and
34 on the filing of any answer or appearance in any such action or
35 proceeding for which a filing fee is required.

36 2. On or before the first Monday of each month, in a county in which
37 a fee has been imposed pursuant to subsection 1, the justice of the peace
38 shall account for and pay over to the county treasurer any such fees
39 collected by him during the preceding month. The county treasurer shall
40 remit quarterly to the organization to which the fees are to be paid
41 pursuant to subsection 1 all the money received by him from the justice
42 of the peace.

43 3. Any fees collected pursuant to this section must be used for the
44 benefit of the persons to whom the organization operating the program
45 for legal services that receives money pursuant to this section provides
46 legal services without a charge.

47 **Sec. 3.** This act becomes effective on July 1, 2001.

