ASSEMBLY BILL NO. 338–ASSEMBLYMEN HARDY, BEERS, MABEY, SHERER, KNECHT, ANDONOV, ANGLE, CHRISTENSEN, COLLINS, GEDDES, GIBBONS, GOICOECHEA, GRADY, GRIFFIN, GUSTAVSON, HETTRICK, MARVEL AND WEBER

MARCH 17, 2003
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JOINT SPONSORS: SENATORS MCGINNESS AND WASHINGTON
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Referred to Committee on Judiciary

SUMMARY—Requires Supreme Court of Nevada to adopt rules which require that before undertaking representation of client for purposes of commencing litigation, attorney must ensure that client is adequately informed about litigation. (BDR 1-803)

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 attorneys; requiring the Supreme Court of Nevada to adopt rules which require that before undertaking representation of a client for the purposes of commencing litigation, an attorney must ensure that the client is adequately informed about litigation; 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 7 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3   *The Supreme Court of Nevada shall adopt rules which require*
4 *that before an attorney undertakes representation of a client for*
5 *the purposes of commencing litigation on behalf of the client, the*
6 *attorney must ensure that the client is adequately informed about:*
7   *1.   The nature and purpose of the litigation;*

1   *2. The risks and benefits of the litigation, including, without*
2 *limitation:*
3   *(a) The potential costs of the litigation;*
4   *(b) The possible period before final resolution of the litigation;*
5 *and*
6   *(c) Any collateral legal consequences associated with the*
7 *commencement of the litigation; and*
8   *3. The existence of any available methods of alternative*
9 *dispute resolution other than commencing the litigation.*
10   **Sec. 2.** This act becomes effective on July 1, 2003.

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