

Amendment No. 216

Assembly Amendment to Assembly Bill No. 237

(BDR 1-1239)

Proposed by: Committee on Judiciary**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

| ASSEMBLY ACTION | Initial and Date | SENATE ACTION | Initial and Date |
|--|------------------|--|------------------|
| Adopted <input type="checkbox"/> Lost <input type="checkbox"/> | _____ | Adopted <input type="checkbox"/> Lost <input type="checkbox"/> | _____ |
| Concurred In <input type="checkbox"/> Not <input type="checkbox"/> | _____ | Concurred In <input type="checkbox"/> Not <input type="checkbox"/> | _____ |
| Receded <input type="checkbox"/> Not <input type="checkbox"/> | _____ | Receded <input type="checkbox"/> Not <input type="checkbox"/> | _____ |

Amend sec. 2, page 3, by deleting lines 37 through 40 and inserting:

“(m) Except in a ~~judicial district that includes a county~~ **township** whose population is 100,000 or more, in any action for the issuance of a temporary or extended order for protection against domestic violence ~~[-]~~, *unless a party to the action filed in the justices’ court has filed an action in district court in which such an order may be granted.*”.

SP/MSM

Date: 4/13/2005

A.B. No. 237—Revises jurisdiction of certain justices’ courts.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Under existing law, most justices' courts are given jurisdiction to issue a temporary or extended order for protection against domestic violence. Justices' courts in judicial districts that include a county with a population of 100,000 or more, however, do not have jurisdiction to issue such orders. (NRS 4.370) These judicial districts include the Second Judicial District, which is composed of Washoe County, and the Eighth Judicial District, which is composed of Clark County. (NRS 3.010) As a result, any person living in Clark County or Washoe County, including rural areas of those counties, must obtain an order for protection against domestic violence from the district court. (NRS 3.223)

This bill revises the population requirement under which a justice's court may issue a temporary or extended order for protection against domestic violence. This bill authorizes a justice's court to issue an order for protection against domestic violence in a township with a population of 100,000 or more. However, a justice's court may not issue such an order if an action has been filed in the district court and the order can be obtained in the district court action.