

Amendment No. 665

Assembly Amendment to Senate Bill No. 177 First Reprint

(BDR 2-522)

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

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from SB177 R1.

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 the bill as a whole by deleting sec. 2 and renumbering sections 3 and 4 as sections 2 and 3.

Amend sec. 4, page 6, lines 15 and 16, by deleting:

“the county clerk shall charge and collect a fee of ~~[\$5]~~ \$15 from” and inserting:

~~“[the county clerk shall charge and collect a fee of \$5 from]~~ *a board of county commissioners may impose by ordinance a filing fee in an amount not to exceed \$15 to offset a portion of the costs of providing programs of arbitration and other alternative methods of resolving disputes on”.*

Amend the bill as a whole by deleting sec. 5 and renumbering sec. 6 as sec. 4.

Amend the title of the bill to read as follows:

MSN/RBL

Date: 4/29/2005

S.B. No. 177—Makes various changes related to fees charged in district courts and justices’ courts.



“AN ACT relating to courts; providing that a client of a legal aid program which provides services to indigent persons may be allowed to proceed as an indigent litigant without submitting further proof of indigency to the court; increasing the maximum amount of certain fees that certain boards of county commissioners may impose for the filing of certain actions in district courts and justices’ courts; providing that certain fees charged in connection with a civil action in a district court may be used to support programs for alternative methods of resolving disputes; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes related to fees charged in district courts. (BDR 2-522)”.

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

Legislative Counsel's Digest:

Existing law allows a person who desires to prosecute or defend a civil action but is unable to pay the required filing fees or costs to file an affidavit with the court stating with particularity the facts that establish his indigency. (NRS 12.015)

This bill allows a person who is a client of a legal aid program and who desires to prosecute or defend a civil action to indicate to the court that he is such a client. If the court finds that the person is such a client, the person will be allowed to proceed as an indigent litigant. As such, the person is not required to pay the filing fees and costs.

Existing law imposes a filing fee which must be paid upon commencing, answering or appearing in an action or proceeding. The money collected from the additional fee is used to fund programs for arbitration in civil actions. (NRS 19.0315)

This bill provides that this fee may be imposed by the board of county commissioners rather than mandated by statute and increases the maximum amount that the board may impose for the fee. This bill also provides that the fee may be used to support other programs for the resolution of disputes through the use of other alternative methods of resolving disputes.

Existing law authorizes certain boards of county commissioners to impose a filing fee in district and justices' courts to offset the cost of providing pro bono programs and of providing free legal services to abused and neglected children and to victims of domestic violence. (NRS 4.071, 19.0312)

This bill increases the maximum amount that those boards of county commissioners are authorized to impose for the fee.