

SENATE CONCURRENT RESOLUTION NO. 47—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MAY 22, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Directs the Legislative Commission to conduct an interim study concerning chancery courts. (BDR R-1516)

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to conduct an interim study on the implementation of chancery courts in Nevada.

1 WHEREAS, Courts of chancery, also called courts of equity,
2 which exist in several states, have their roots in the High Court of
3 Chancery of Great Britain from before the separation of the
4 American colonies; and

5 WHEREAS, Such courts typically have jurisdiction over cases in
6 which a simple judgment for either party, without qualifications,
7 conditions or some particular arrangements, will not do entire
8 justice to either party, or where a plain, adequate and complete
9 remedy is not available in law; and

10 WHEREAS, Such courts are usually given the power to issue
11 subpoenas, summonses and other processes to compel defendants to
12 answer actions, and may issue orders, injunctions, decrees,
13 declaratory relief and other such remedies as permitted by each state
14 and as equity demands in the settling of various disputes; and

15 WHEREAS, Courts of chancery in Delaware, Mississippi and
16 Tennessee handle such matters as the administration of estates and
17 trusts, corporate matters, disputes involving the purchase and sale of
18 land, contractual matters, and domestic and family matters; and

19 WHEREAS, Creation of such courts might benefit the residents of
20 the State of Nevada by providing a distinct forum for the securing of
21 equitable rights; now, therefore, be it

22 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE
23 ASSEMBLY CONCURRING, That the Legislative Commission is



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1 hereby directed to appoint a subcommittee, composed of three
2 members of the Senate and three members of the Assembly, one of
3 whom must be appointed as Chairman of the subcommittee, to
4 conduct a study of the benefits, costs and feasibility of the
5 implementation of courts of chancery in Nevada; and be it further

6 RESOLVED, That the study must include, without limitation, a
7 compilation and analysis of the economic and legal impact courts of
8 chancery have had in states in which they have been implemented;
9 and be it further

10 RESOLVED, That the study include an assessment of expected
11 revenues, estimated costs of operation and any ancillary economic
12 impact to Nevada that might result from the implementation of
13 courts of chancery; and be it further

14 RESOLVED, That any recommended legislation proposed by the
15 subcommittee must be approved by a majority of the members of
16 the Senate and a majority of the members of the Assembly
17 appointed to the subcommittee; and be it further

18 RESOLVED, That the Legislative Commission shall submit a
19 report of the results of the study and any recommendations for
20 legislation to the 75th Session of the Nevada Legislature.

