

TRAINING, QUALIFICATIONS, WORKLOADS
AND LEAVE POLICIES OF THE JUDICIARY
AND DISTRICT ATTORNEYS



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LEGISLATIVE COMMISSION

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FILE NUMBER.....122

ASSEMBLY CONCURRENT RESOLUTION—Directing the legislative commission to study training, qualifications, workloads and leave policies of supreme court justices, district court judges, justices of the peace, municipal court judges and district attorneys.

WHEREAS, The right to a speedy trial in criminal cases is an axiom of the American system of jurisprudence which is embodied in the Sixth Amendment to the Constitution of the United States of America; and

WHEREAS, In order to insure fair and just adjudication in courts of law, high standards of professionalism and adequate training in the law must be encouraged at all levels of the judicial system in Nevada; and

WHEREAS, Rapid population growth, expanding wealth and economic activity, increasing mobility and use of automobiles, as well as rising crime rates, all contribute to overburdened courts and concomitant delays in judicial decisionmaking; and

WHEREAS, Increasing workloads for judicial personnel in Nevada may affect the quality of justice in our state; and

WHEREAS, At the present time, Nevada lacks comprehensive judicial statistics which are essential to the process of evaluating and improving our present court system; and

WHEREAS, A 1973 survey by the American Judicature Society disclosed that Nevada, among a number of other states, has no continuing system for providing evaluation and prediction of needs for increases in the judiciary; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the legislative commission study the training, qualifications, workloads and leave policies of supreme court justices, district court judges, justices of the peace, municipal court judges and district attorneys; and be it further

Resolved, That the legislative commission report the results of such study to the 59th session of the legislature, together with recommendations for any necessary and appropriate legislation.

REPORT OF THE LEGISLATIVE COMMISSION

To the Members of the 59th Session of the Nevada Legislature:

Attached is the report of the subcommittee appointed to study the training, qualifications, workloads and leave policies of the judiciary and district attorneys pursuant to Assembly Concurrent Resolution No. 49. The legislative commission offers its thanks to the members of the subcommittee, whose names appear in the introduction to their report, to Chief Justice E. M. Gunderson of the supreme court, and to the other members of the judiciary of this and other states, district attorneys and public defenders who assisted the subcommittee in its work.

The attached report contains appropriate recommendations for legislative action on appropriations, a pending constitutional amendment, and proposed measures. It also contains suggestions for action by the supreme court and the several counties upon matters not appropriate for direct legislative action.

Respectfully submitted,

Legislative Commission
State of Nevada

Carson City, Nevada
September, 1976

REPORT OF THE SUBCOMMITTEE FOR STUDY OF THE
TRAINING, QUALIFICATIONS, WORKLOADS
AND LEAVE POLICIES OF THE JUDICIARY
AND DISTRICT ATTORNEYS

I. Introduction

To conduct the study required by A.C.R. 49, the legislative commission appointed a subcommittee composed of:

Assemblyman Robert R. Barengo, Chairman; Senator Lee E. Walker, Vice Chairman; Senator Carl F. Dodge; and Assemblymen Thomas J. Hickey, Lloyd W. Mann, James W. Schofield and Sue Wagner.

With the approval of the commission, this subcommittee decided that the similarity of appropriate training and qualifications and the close working relationship of public defenders to district attorneys and the judiciary made it appropriate to include the state and county public defenders in the study. The subcommittee also arranged to coordinate its work with that of the Subcommittee for Study of Funding the Courts of the State, through the staff personnel assigned to both subcommittees.

To obtain information and suggestions for its work, the subcommittee decided to distribute questionnaires to the judiciary, the district attorneys and the public defenders, and to hold public hearings at which these persons and others interested in the subject were invited to appear. Insofar as they related to the same subjects, the questionnaires were modeled upon those used by the Subcommittee for Study of the Nevada Court Structure in 1967 and 1968, and appropriate questions were added concerning qualifications, training and leave policies, and concerning the workloads of the district attorneys and public defenders. Public hearings were held in Las Vegas on February 13 and 14, 1976, and in Carson City on March 5 and 6 and May 14 and 15.

II. Statistics

The 1967-1968 study had shown that court statistics were "obtainable only with great difficulty from the records as [then] kept." (Page 39 of Bulletin No. 74.) It therefore recommended establishing the office of court administrator, under the direction of the chief justice of the supreme court, to prescribe the form and supervise the keeping of adequate statistical records for future

judicial and legislative use. (Appendix B of Bulletin No. 74.) The office was not created until 1971, and it was then made dependent principally upon the receipt of expected money from the Federal Government. (Page 1998, Statutes of Nevada 1971.) In 1973, no appropriation was made for the support of the court administrator, and the office has not since been staffed. Some gathering of statistics and planning for future needs is done by the court planning and coordinating office established by the supreme court without statutory recognition and dependent for its support on year-by-year grants from the Federal Government, and by the commission on crimes, delinquency and corrections, also primarily from Federal Government grants. It is therefore not surprising that this subcommittee found reliable statistics on court operations as difficult to obtain as they were 8 years ago. No purpose would be served by detailed examples, but this subcommittee notes substantial discrepancies (with no discernible pattern) between statistics reported by certain courts upon the questionnaires distributed and those collected by the commission on crimes, delinquency and corrections. Until a single authority is established to determine what statistics are required and require that they be kept, no statistics comparable from court to court can be expected.

The present Subcommittee for Study of Funding the Courts of the State has had similar experience and is making its own recommendation (BDR 1-3) to add certain duties to the office of court administrator. This subcommittee concurs in that recommendation. Whether or not that recommendation is adopted, the special skills which the court administrator and his staff must possess among them are: management and budgeting, accounting, personnel classification and court programming--only the distribution of emphasis is affected, both by that recommendation and the possible adoption of constitutional amendments for a unified court system (A.J.R. 18 of the 57th session) and judicial discipline (A.J.R. 16 of the 57th session). This subcommittee therefore recommends that

THE SENATE STANDING COMMITTEE ON FINANCE AND THE
ASSEMBLY STANDING COMMITTEE ON WAYS AND MEANS
CONSIDER CAREFULLY THE DUTIES REQUIRED OF THE
COURT ADMINISTRATOR BY LAW, AND PROVIDE A SUFFICIENT APPROPRIATION FOR HIS SALARY AND STAFF
TO DISCHARGE THOSE DUTIES WITHOUT RELIANCE
UPON SUPPORT FROM THE FEDERAL GOVERNMENT.

Obviously, any money available from an outside source should be used, but the administration of justice is a fundamental

responsibility of each state (article 3 of the Nevada constitution), planning is essential for the wise use of the entire amount spent on the courts, and to hobble this planning would be penny-wise and pound-foolish.

Statistical information is equally lacking concerning the workloads of the district attorneys. Many failed entirely to respond to the questionnaire; those who explained their failure and some who did respond protested earnestly that such records as were kept were not kept on the same basis from county to county and so could not fairly be compared. Their point is valid: if the legislature desires statistics which will be comparable and therefore meaningful on a statewide basis, it must first provide for the content and keeping of the necessary records. Because the district attorneys perform a function of the executive department, it seems inappropriate to vest the supervision of their recordkeeping in an officer of the judicial department such as the court administrator; because the district attorneys and the attorney general are separately elected officers, it seems equally inappropriate to vest such supervision in him, or in the governor's appointee, the director of the commission on crimes, delinquency and corrections. Excluding these agencies related by subject matter, and bearing in mind that a principal purpose is to inform the legislature as it considers future actions, this subcommittee recommends that records to be kept be prescribed by the legislative commission and reports submitted to it. The closely related nature of their work makes it appropriate that the public defenders keep similar records and submit similar reports. BDR 17-54, attached as part of Appendix A, would carry out this recommendation.

Some general observations drawn from the questionnaire are presented in the next section on Training and Qualifications; such of the workload statistics and other information as seem to have some validity are presented in Appendix B.

III. Training and Qualifications

Classifying the responses by kind of court or by other office, and disregarding those persons in each category who did not answer, it appears:

A. In the municipal courts (19 judges):

1. All judges but one finished high school; most had some further schooling but few had college degrees and only one had a law degree.
 2. All had attended specialized training courses.
 3. Two-thirds had been judges for more than 5 years.
 4. All but one were over 35 years old.
- B. In the justices' courts (56 justices, includes seven judges of municipal courts):
1. All justices but two finished high school; about half had further schooling, but few had college degrees and most of these also had law degrees.
 2. Over 85 percent had attended specialized training courses.
 3. About half had been justices for more than 5 years.
 4. Nearly all were over 35 years old.

It therefore seems that these judges as a group are mature, educated and trained sufficiently for their task, and reasonably experienced.

- C. In the district courts (25 judges):
1. In addition to their law degrees, about two-thirds of the judges had attended specialized training courses.
 2. About two-thirds had at least 15 years' experience as lawyers or judges; one-third had been judges for more than 5 years.
 3. About 85 percent were at least 40 years old.
- D. In the supreme court (five justices):
- All of the justices have had at least 15 years' experience as lawyers or judges, have had at least 5 years' judicial service and are at least 45 years old.

Every justice of the supreme court and judge of a district court is required by law to be a lawyer admitted to practice in this state; beyond these requirements, the maturity and experience of the present judges seem appropriate to their respective duties.

- E. In the case of the district attorneys, too few responded (nine out of 17) to permit any conclusions to be reached. This sort of information will become available if BDR 17-54 is enacted.

- F. The three public defenders report legal experience ranging from 5 to 25 years, and length of service ranging from 1 to 6 years. These ranges are generally comparable to those district attorneys who reported.

Appendix B contains abstracts of the reports in each category listed above, showing average length of workweek, annual vacation and sick leave.

Upon the recommendation of the Subcommittee for Study of Nevada's Court Structure, special training courses were provided for justices of the peace and judges of municipal courts. Because the office of court administrator was yet to be created, responsibility for arrangements was vested in the clerk of the supreme court. This subcommittee now recommends that this responsibility be transferred to the court administrator. BDR 1-55, attached as part of Appendix A, would carry out this recommendation. This subcommittee further recommends that

APPROPRIATE CONTINUING EDUCATION IN THE PERFORMANCE OF JUDICIAL DUTIES BE ENCOURAGED FOR DISTRICT COURT JUDGES AND FOR JUSTICES OF THE SUPREME COURT.

This would be an appropriate function for the court administrator under the direction of the chief justice if the court system is unified pursuant to A.J.R. 18, or for a judicial council if one is established as recommended by the Subcommittee for Study of Funding the Courts of the State, whether or not the court system is formally unified.

This subcommittee has noted that it finds no fault with the qualifications or experience of the present judges of any of the courts, but this does not mean that it sees no room for improvement. A.J.R. 14 of the 57th session, upon which the people will vote at the 1976 general election, proposes to amend the constitution by establishing a merit selection plan for the filling of vacancies on the supreme court and district courts. If adopted, this should contribute to maintaining the high standard of the bench. If it is not adopted, the establishment by statute of minimum standards of legal experience for judges of these courts should be considered.

Because of the California supreme court decision (Gordon v. Justice Court, 525 P.2d 72) that whenever imprisonment may be imposed the judge must be a lawyer, this subcommittee considered whether such a requirement would apply to the justices' and municipal courts of this state. In North v. Russell, decided on June 28, 1976, the United States Supreme Court held that a lawyer judge is not required if the defendant has the opportunity of a new trial afterward before such a judge. Under present Nevada law, a case appealed from a justice's or municipal court is tried anew in the district court, which meets the North standard. This decision is further discussed as it affects changes later proposed in this report.

IV. Recommendations concerning Court Organization and Personnel

From its hearings and its own deliberations upon material supplied by the staff, the subcommittee has prepared a series of recommendations upon specific problems found. Some of these can be carried out immediately by statute, some can be carried out by statute if constitutional amendments now pending are adopted, and some require the proposal of constitutional amendments. Each is explained briefly, with a reference to the draft bill or constitutional amendment or the text of the recommendation if it depends upon a pending amendment.

- A. Intermediate appellate court. The subcommittee is fully persuaded that over the long term the creation of an intermediate appellate court will be a more satisfactory method of relieving congestion of the supreme court than enlargement of the latter and division into panels as contemplated by S.J.R. 30 of the 57th session. If the panel method is used, conflicts of decision between panels must be resolved by the full court, and experience of the United States Courts of Appeals (of which the Ninth Circuit is a classic example) demonstrates that this becomes unwieldy as the court increases in size.

The key to effective use of an intermediate appellate court is to keep both its size and its jurisdiction flexible, so that those categories of cases which at a particular time are overloading the supreme court may be sifted through the intermediate court without depriving any litigant of the right to one appeal, and the number of judges may be increased

or diminished as these categories and the number of cases in them change. There is no objection to panels in such a court, for conflicts can and should be resolved by the supreme court. If this course is followed, the first logical assignment to the intermediate court would be criminal appeals, as contemplated by A.J.R. 31 of the 56th session, and the initial number of judges would probably be three, but neither of these choices would be frozen into the constitution.

BDR C-56 in Appendix A is drafted to afford the greatest possible flexibility in meeting future needs as they arise. If S.J.R. 30 is meanwhile adopted, the legislature may refrain from enlarging the supreme court to await the people's action on this proposal; if S.J.R. 30 is not adopted, its essential purpose may still be achieved.

The 59th session should, however, consider both the imminence of the need for relief of the supreme court's workload, as that may be demonstrated by information not available as this report is prepared, and the possibilities for interim relief before 1983 when judges elected under BDR C-56 as drafted would take office. The 60th session could if it approves the amendment provide by statute for the jurisdiction, structure and financial support of the court of appeals, contingent upon ratification by the people. Especially if merit selection for the filling of vacancies is ratified by the people in 1976, the 59th session might provide for appointment of the first judges to take office in 1981.

- B. Selection and term of chief justice. Whether or not the court system is formally unified pursuant to A.J.R. 18, the role of the chief justice of the supreme court has expanded since 1864 when the method of selection by rotation or by lot was established. Court administration and planning have become important, and essential to the success of the latter is its coordination with the legislature. The chief justice must supervise this, and the preparation of the supreme court budget, which if the recommendation of the Subcommittee for Study of Funding the Courts of the State is followed will be succeeded by a budget for the court system as a whole. Yet under present law the term of the chief justice as such begins on the 1st Monday of January and the legislature convenes 2 weeks later. This timing must present a problem to every chief justice, but more important is the fact that not every person

well qualified to be a supreme court justice has any great talent for administration. To avoid this latter problem the justices, who know one another best, should select the chief justice, and be permitted to retain one who is especially capable. To avoid the former, the term as chief justice should begin at the beginning of the even-numbered year, giving the chief justice a year in which to prepare his programs before the legislature convenes. It may safely be left to the wisdom of the justices not to select one whose term as a justice expires during his term as chief justice unless he is likely to be reelected, and if they do miscalculate, the result of filling the vacancy at midterm is no worse than the present system. BDR C-57 in Appendix A would accomplish both these purposes.

A further consideration, which was forcefully advanced to the subcommittee by Chief Justice Gunderson, is that the authority of the chief justice to carry out long-range plans and enforce administrative measures which might be initially unpopular would be strengthened by a fixed term longer than 2 years. He advocated a minimum of 6 years from whenever a vacancy might arise, which in practice would mean that any particular term might extend to 8 years so that the next would begin with a full even-numbered year. This approach has much merit, but it automatically requires selecting the chief justice for a term beyond that for which the people have elected him a justice, and to that extent conflicts with the philosophy of the rest of the constitution. The subcommittee recommends that the legislature consider this question carefully in acting upon and perhaps amending BDR C-57.

- C. Chief judges of district courts. It is equally desirable to strengthen the administrative structure in multijudge district courts. NRS 3.025 already provides for the selection and duties of a chief judge in such districts, and S.J.R. 23 of the 58th session will, if approved by the 59th session and ratified by the people at the general election of 1978, establish an explicit basis for the exercise of this power by the legislature. This subcommittee therefore recommends

THE APPROVAL OF S.J.R. 23 BY THE 59TH SESSION
AND THE DEFERRAL OF ANY FURTHER LEGISLATIVE
ACTION UNTIL IT IS VOTED ON BY THE PEOPLE.

- D. Use of masters. A step which may be taken immediately to lighten the workload of district court judges is to extend the use of qualified attorneys as masters to hear, and where appropriate decide, routine matters. At present a retired judge, Russell S. Waite, Esq., serves as probate commissioner in Clark County, and a juvenile master is sometimes used in Washoe County. In at least 27 states it appears that masters are similarly used in probate, domestic relations or juvenile matters. In the United States courts, magistrates (formerly called commissioners) are used to hear criminal arraignments. Historically, masters have been appointed in civil cases to hear complicated factual testimony or take accountings, but at the expense of the parties. Where the real reason for use of a master is to conserve the time of the judge, there appears to be no just reason why the litigants should pay for his time any more than for that of the judge or other court officers. (Under Nev. Art. 6, § 16, the filing fee is required to be "applied towards" these purposes.) This subcommittee therefore recommends the use of masters compensated at public expense whenever in the discretion of the judge such use is appropriate, as in arraignments, domestic relations, juvenile matters and probate as well as complicated civil matters. BDR 1-58 in Appendix A embodies this recommendation.
- E. Separation of clerk of courts from county clerk. A suggestion made to the subcommittee by certain judges of the larger counties is to withdraw the persons serving as court clerks from the office of the county clerk, to give each district court direct control of its personnel. In the smallest counties, it must be noted, this separation is not feasible, for the county clerk may work alone or have but one assistant, and the court does not require a full-time clerk. This subcommittee therefore recommends the proposal of a constitutional amendment to permit such separation (BDR C-59 in Appendix A) and if such an amendment is adopted, subsequent legislation to authorize the separation of the duties only in counties above a certain population.
- F. Extended use of sound recording. The use of sound recording as an optional supplement to the shorthand reporting of district court proceedings was authorized in Nevada in 1949. The Subcommittee for Study of County Courts recommended its use as an optional substitute in the lower trial courts so that trials anew in the district court could be largely eliminated by the availability of a record without overtaxing the limited number

of shorthand reporters. This subcommittee endorses the goal (for the reason explained by the Subcommittee for Study of Nevada's Court Structure, that two trials of the fact should not be allowed where a lesser value or punishment is at stake while graver cases have but one) and the means, but recognizes that if the lower court judge is not a lawyer, the possibility of trial anew has received added importance from North v. Russell, cited above in Part III. That decision dealt with a situation where trial anew was automatic, but its language does not seem to preclude providing such a trial only if justice so requires. BDR 1-60 in Appendix A accordingly so provides, and raises sound recording to a parity with shorthand reporting in all courts.

- G. Enlarging the jurisdiction of justices' courts. The civil jurisdiction of justices' courts is limited by Nev. Art. 6, § 8, to \$300 and by the exclusion of certain kinds of cases. A.J.R. 36 of the 58th session proposes to empower the legislature to fix these limits. This subcommittee recommends approval of A.J.R. 36 by the 59th session and the raising of the money limit to \$5,000 if A.J.R. 36 is ratified by the people. Within this limit, the legislature should consider classifying the justices' courts according to population of the community served, requiring the justices in the larger communities to be lawyers, and vesting in them a higher monetary jurisdiction, a broader subject-matter jurisdiction, or both.

On the criminal side, the approach recommended by this subcommittee is to enlarge the category of misdemeanors (as compared to gross misdemeanors and felonies) and thus increase the proportion of criminal cases triable in the justices' courts. The dividing line, in value of property taken, between petit and grand larceny was set by the statute of 1861 at \$50, increased to \$100 in 1911, and not changed since. The same dividing line is used in other statutes relating to crimes against property. The Subcommittee for Revision of the Criminal Law recommended in 1966 that the dividing line be raised to \$250, which was roughly equivalent in purchasing power to the \$100 of 1911. This subcommittee recommends a similar change when the civil jurisdiction of the justices' courts is increased, or if A.J.R. 36 is not ratified by the people.

Any significant increase in the proportion of civil and criminal cases triable in justices' courts relieves to that extent the burden upon the district courts, and permits these smaller cases to receive a simpler and speedier trial.

- H. Consolidation of municipal into justices' courts. Sections 1 and 8 of article 6 of the Nevada constitution require the maintenance of justices' courts, but sections 1 and 9 of that article make the establishment of municipal courts optional with the legislature. Of the 17 municipal courts in Nevada, seven are effectively combined with justices' courts by the service of a justice of the peace as ex officio judge. Except for Carson City, where all aspects of local government are consolidated, this is principally in the smaller cities. This subcommittee believes that economy of judicial personnel and physical facilities and flexibility in their use can be achieved by combining these courts in all cities, under the constitutional name of justices' courts. BDR 1-61 in Appendix A makes this consolidation, preserving the present apportionment of fines from these courts. In Carson City and all larger townships, the combined number of justices of the peace and municipal judges is retained.
- I. Individual judgeships. Because of the lack of reliable statistics to measure workload, this subcommittee makes but one specific recommendation for an additional judge, and recommends that consideration of others be deferred until adequate information becomes available from a properly funded and functioning court administrator. In the First Judicial District, which comprises Carson City and Storey County, the subcommittee recommends an additional judge because of the number of habeas corpus and postconviction proceedings coming from the state prison and the incidence of civil actions by or against the state which result from the location of the capital. BDR 1-69 in Appendix A provides for this judge.

V. Other Recommendations on the Judiciary

In 1973 the legislature amended NRS 34.380 to prohibit the issuance of a writ of habeas corpus based on lack of probable cause or on another challenge to the jurisdiction of the court after the entry of a plea. The effect of this prohibition, which the supreme court has held cannot be waived by stipulation. (Slattery v. Sheriff of Clark County, 92 Nev. - Adv. Opn. No. 4), is to postpone the entry of pleas and thus delay criminal trials. This subcommittee recommends the enactment of BDR 3-62 in Appendix A to repeal the prohibition.

A problem cited to the subcommittee during its public hearings is the lack of sourcebooks of law in the lower trial courts. The

subcommittee recommends adding the municipal courts to those entitled to receive the Statutes of Nevada and Nevada Reports, and requiring the several counties and cities to provide sets of Nevada Revised Statutes to the justices' and municipal courts as well as the district courts. BDR 1-63 of Appendix A imposes this requirement.

The Subcommittee for Study of Nevada's Court Structure, at page 39 of Bulletin No. 74, briefly noted its concurrence that the responsibility for juvenile probation be transferred from the courts to an appropriate executive agency. The problem as found by this subcommittee is that county officials suggest it should be transferred to a state agency, while state officials suggest that it is a county responsibility. This subcommittee believes that it lacks sufficient information upon which to base a recommendation for transfer, but does recommend

THAT THE LEGISLATURE DIRECT FURTHER STUDY OF THIS PROBLEM.

VI. District Attorneys and Public Defenders

Common to both these categories is the problem of retaining capable career attorneys in the larger counties. The principal obstacle cited to the subcommittee is the "95 percent rule" of NRS 245.047 which limits the base salary of a county employee to 95 percent of that of his elected superior and NRS 281.123 which limits the total salary of any public employee to 95 percent of that of the governor. The thrust of the argument is two-fold: first, as applied to all counties of the state, the limit of NRS 245.047 prevents any cost-of-living increase to an employee who has reached the maximum oftener than every 4 years, when the district attorney's salary may be increased; second, as applied at least to Clark County, both limits preclude the payment of salaries believed to be competitive with remuneration from private practice. Although the public defender and his deputies are subject only to the second limit, in practice county commissioners apparently believe that the same pay scale should apply to both offices. The subcommittee recognizes the problem, but believes that the 1975 amendment to NRS 245.047, which permits longevity increases outside the 95 percent limit, goes as far as consistency with the policy of the legislature toward public employees generally permits.

Certain district attorneys presented to the subcommittee a problem arising out of the trend to increased consumer protection. Some members of the public call upon the district attorney as if he were

a sort of ombudsman to intervene in any controversy between buyer and seller. Short of this, but in an effort to deal with the gray area where a seller's conduct is not unlawful beyond reasonable doubt but where the small amounts individually in controversy make civil actions by the buyers impracticable, the district attorneys requested extension of their authority to recover a civil penalty to those consumer protection statutes which do not already contain it. BDR 52-64 in Appendix A serves this purpose.

The principal problem found in the operation of the several public defenders' offices is to reconcile the need to provide immediate representation to the person accused of a public offense (or child accused of similar conduct) who is without ready money to pay for his defense with the public policy of limiting such representation to the truly indigent. The United States Supreme Court in Fuller v. Oregon, 417 U.S. 40 (1974), held that a state could provide for recoupment from the defendant of the cost of his defense. NRS 176.091, enacted in 1971, tracks closely the Oregon statute sustained, but has not wholly solved the problem. It appears that two situations should be distinguished: (1) recoupment from future earnings of a defendant, where all of the safeguards of judicial review provided by NRS 176.091 are appropriate, and (2) recoupment from property owned by the defendant at the time of representation, which might not be convertible into ready money, or afterward acquired, which clearly was not available at the time but which it would be unjust to permit the defendant to retain intact. In Fuller, the court upheld the provision for recoupment only from those convicted, against the contention that it denied equal protection, but did not say that such a distinction must or should be made. In the case of recoupment from property, where the purpose of the statute is to permit representation of a defendant who is not truly indigent but is without immediate means, this distinction is not appropriate. BDR 14-65 in Appendix A therefore provides an automatic lien. Since the lien must be enforced by civil action, judicial review is available in case of genuine hardship. With the provision of this additional means of recoupment, full investigation even after representation is undertaken acquires increased importance. The subcommittee therefore further recommends

THAT EACH COUNTY STRENGTHEN THE INVESTIGATIVE STAFF OF THE PUBLIC DEFENDER AND THAT AN INVESTIGATOR FOR THIS PURPOSE BE PROVIDED IN THE BUDGET OF THE STATE PUBLIC DEFENDER.

Another situation brought to the attention of the subcommittee is that (1) the county public defenders accept appointments to represent children under NRS 62.085 but the state public defender is precluded by the narrow language of subsection 2 of NRS 180.060, while (2) the county public defenders have no authority comparable to subsection 1 of NRS 180.060 to interview a defendant before appointment. No sound public policy appears to underlie these distinctions, and BDR 14-65 extends both powers uniformly to all public defenders.

VII. Leave Policies

NRS 245.210 requires each board of county commissioners to enact an ordinance governing "annual, sick and disability leave for elected and appointed county officers and county employees," and provides standards for such ordinances. This covers the district attorneys, county public defenders and their staffs. NRS 284.350 and 284.355 provide annual, sick and disability leave for the state public defender and his staff consistent with the standards established for the counties. No further legislation appears to be required for these offices.

If A.J.R. 18 which would establish a unified court system is ratified by the people, the supreme court is the logical authority to establish similar rules applicable to the judiciary. The subcommittee therefore recommends that

THE SUPREME COURT EXERCISE ITS AUTHORITY AS HEAD OF THE COURT SYSTEM TO ESTABLISH UNIFORM RULES FOR ANNUAL, SICK AND DISABILITY LEAVE FOR THE JUDICIARY CONSISTENT WITH THOSE ESTABLISHED FOR PUBLIC OFFICERS GENERALLY,

and that the legislature act in the matter only if the supreme court cannot effectively do so.

VIII. Conclusion

The people of this state at the general election of 1972 rejected the proposed judicial article and related changes which would at one stroke have unified and modernized the Nevada court structure. Subsequently, the 57th and 58th sessions of the legislature have adopted proposals for constitutional amendments which separately submit parts of this program to the people. Until these proposals are ratified or rejected in 1976 or 1978, it is inappropriate to recommend fundamental change in the same areas. This subcommittee is therefore submitting only proposed constitutional amendments different in subject from those pending, proposed legislation consistent with the constitution as it stands, and some suggestions for the exercise of authority which may be conferred upon the legislature or the supreme court by pending constitutional amendments.

SUMMARY--Provides for collection of information concerning district attorneys and public defenders. (BDR 17-54)
Fiscal Note: Local Government Impact: Yes.
State or Industrial Insurance Impact: Effect less than \$2,000.

AN ACT relating to public officers; providing for the collection of information concerning the operation of the offices of district attorneys and public defenders; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 218 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. The legislature finds that:

1. The discharge of its duties to provide for the prosecution of public offenses and the defense of indigent persons charged with public offenses requires the collection of statistical information upon the operation of the several district attorneys' and public defenders' offices which are reasonably accurate and are comparable from county to county.

2. There exists no agency outside the legislative department of the state government which is appropriate for the collection of such information.

Sec. 3. 1. The legislative commission shall prescribe by regulation:

(a) The kinds of records to be kept by each district attorney and public defender for the information of the legislature, and may classify such requirements by population of the county if appropriate.

(b) The reports to be made of the contents of such records, including the period to be covered and the date of submission of each report.

2. Each report prescribed pursuant to this section is for the use of the legislature, the legislative commission and the staff of the legislative counsel bureau only. Statistical summaries may be published, but information upon the qualifications or salary of any particular person shall not be disclosed outside the legislative department.

Sec. 4. NRS 180.080 is hereby amended to read as follows:

180.080 The state public defender shall submit : [a]

1. A report annually to the governor containing a statement of the number of persons represented, the crimes involved, the status of each case, and the amount and categories of the expenditures made by his office.

2. Such reports to the legislative commission as the regulations of the commission require.

Sec. 5. Chapter 252 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The district attorney shall submit such reports to the legislative commission as the regulations of the commission require.

Sec. 6. Chapter 260 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The public defender shall submit such reports to the legislative commission as the regulations of the commission require.

SUMMARY--Transfers responsibility for training of justices of peace and police judges to court administrator. (BDR 1-55)

Fiscal Note: Local Government Impact: No.

State or Industrial Insurance Impact: No.

AN ACT relating to judicial training; transferring certain responsibilities to the court administrator; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 4.035 is hereby amended to read as follows:

4.035 1. The [clerk of the supreme court] court administrator shall, at the direction of the chief justice [,] of the supreme court, arrange for the giving of instruction, at the National College of [State Trial Judges] the State Judiciary in Reno, Nevada, or elsewhere:

[1.] (a) In court procedure, [record-keeping] recordkeeping and the elements of substantive law appropriate to a justice's court, to each justice of the peace who is first elected or appointed to office after July 1, 1971, and to other justices of the peace who so desire and who can be accommodated, between each general election and January 1 next following.

[2.] (b) In statutory amendments and other developments in the law appropriate to a justice's court, to all justices of the peace at convenient intervals.

[3.] 2. Each county shall pay to the supreme court the county's pro rata share of the costs of such instruction as budgeted for pursuant to the Local Government Budget Act.

Sec. 2. NRS 4.036 is hereby amended to read as follows:

4.036 1. Each justice of the peace who is first elected or appointed to office after [the effective date of this act] July 1, 1971, shall attend the instruction provided pursuant to NRS 4.035, on the first occasion when such instruction is offered after his election or appointment, unless excused by written order of a judge of the district court in and for his county, which shall be filed with the [clerk of the supreme court.] court administrator. Such order is final for all purposes.

2. If a justice of the peace fails to attend such instruction without securing a written order pursuant to subsection 1, he forfeits his office.

Sec. 3. NRS 5.025 is hereby amended to read as follows:

5.025 1. The [clerk of the supreme court of Nevada] court administrator shall, at the direction of the chief justice [,] of the supreme court, arrange for the giving of instruction, at the National College of [State Trial Judges] the State Judiciary in Reno, Nevada, or elsewhere:

[1.] (a) In court procedure, [record-keeping] recordkeeping and the elements of substantive law appropriate to a municipal court, to each police judge or municipal judge who is first elected or

appointed to office after July 1, 1971, and to other such judges who so desire and who can be accommodated, between each election designated for the election of such judges and the date of entering office.

[2.] (b) In statutory amendments and other developments in the law appropriate to a municipal court, to all such judges at convenient intervals.

[3.] 2. Each city shall pay to the supreme court the city's pro rata share of the costs of such instruction as budgeted for pursuant to the Local Government Budget Act.

Sec. 4. NRS 5.026 is hereby amended to read as follows:

5.026 1. Each police judge or municipal judge who is first elected or appointed to office after July 1, 1971, shall attend the instruction provided pursuant to NRS 5.025, on the first occasion when such instruction is offered after his election or appointment, unless excused by written order of a judge of the district court in and for the county where such city is situated, which shall be filed with the [clerk of the supreme court.] court administrator. Such order is final for all purposes.

2. If a police judge or municipal judge fails to attend such instruction without securing a written order pursuant to subsection 1, he forfeits his office.

SUMMARY--Proposes to amend Nevada constitution to create intermediate appellate court. (BDR C-56)

JOINT RESOLUTION--Proposing to amend the Nevada constitution to create an intermediate appellate court.

RESOLVED BY THE AND OF THE STATE OF NEVADA,
JOINTLY, That a new section be added to article 6 and sections
1, 4, 7, 11 and 15 of article 6, section 3 of article 7 and
section 22 of article 17 of the constitution of the State of
Nevada be amended to read respectively as follows:

1. The court of appeals consists of three judges or such greater
number as the legislature may provide by law. If the number of
judges is so enlarged, the supreme court shall provide by rule for
the assignment of each appeal to a panel of three judges for deci-
sion.

2. Except as otherwise provided in this subsection, the judges
of the court of appeals shall be elected by the qualified electors
of the state, at the general election, for terms of 6 years
beginning on the 1st Monday of January next after the election.
The terms of the first three judges elected are 2 years, 4 years
and 6 years respectively, which shall be separately specified
for their election, and in any increase or reduction of the num-
ber of judges, the legislature shall provide initial terms of 6
or fewer years such that one-third of the total number of judges,

as nearly as may be, is elected every 2 years. If this article provides for the appointment of justices of the supreme court from among nominees selected by an authority other than the governor, judges of the court of appeals shall be so appointed also.

3. The chief justice of the supreme court shall appoint one of the judges of the court of appeals to be chief judge.

4. The legislature may provide by law, or may authorize the supreme court to provide by rule, for the assignment of a judge of the court of appeals to devote a part of his time to service as a supplemental district judge where needed.

Section. 1. The Judicial power of this State [shall be] is vested in a Supreme Court, a Court of Appeals, District Courts, and [in] Justices of the Peace. The Legislature may also establish Courts for municipal purposes only in incorporated cities and towns.

[Section] Sec. 4. The supreme court [shall] and the court of appeals have appellate jurisdiction in all [cases in equity; also in all cases at law in which is involved the title, or the right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand (exclusive of interest) or the value of the property in controversy, exceeds three hundred dollars; also in all other civil cases not included in the general

subdivisions of law and equity,] civil cases arising in district courts, and also on questions of law alone in all criminal cases in which the offense charged is within the original jurisdiction of the district courts. [The court shall] The legislature shall apportion this jurisdiction between them by law, and shall provide for the review by the supreme court, where appropriate, of appeals decided by the court of appeals. These courts also have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus and also all writs necessary or proper to the complete exercise of [its] their appellate jurisdiction. Each of the justices [shall have] and judges has power to issue writs of habeas corpus to any part of the state, upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable [,] before himself or the [supreme] court, or before any district court in the state or before any judge of [said] those courts.

In case of the disability or disqualification, for any cause, of [the chief justice or either of the associate] one or more justices of the supreme court [, or any two of them,] or judges of the court of appeals, the governor [is authorized and empowered to] may designate any district judge or judges to sit in the place or places of such disqualified or disabled justice , [or] justices, judge or judges, and [said] the district judge or judges so

designated [shall] are entitled to receive their actual expense of travel and otherwise while sitting in [said] the supreme court [.] or court of appeals; or the governor may designate any judge of the court of appeals to sit in the place of any disabled or disqualified justice of the supreme court.

[Sec:] Sec. 7. The times of holding the Supreme Court , the Court of Appeals and District Courts shall be as fixed by law. The terms of the Supreme Court shall be held at the seat of Government; the terms of the Court of Appeals shall be held where provided by law; and the terms of the District Courts shall be held at the County seats of their respective counties; Provided, that in case any county shall be hereafter divided into two or more districts, the Legislature may by law, designate the places of holding Courts in such Districts.

Sec. 11. The justices of the supreme court , the judges of the court of appeals and the district judges [shall be] are ineligible to any office, other than a judicial office, during the term for which they [shall] have been elected or appointed; and all elections or appointments of any such judges by the people, legislature, or otherwise, during [said] that period, to any office other than judicial, [shall be] are void.

[Sec:] Sec. 15. The Justices of the Supreme Court , the Judges of the Court of Appeals and District Judges [shall each] are each

entitled to receive for their services a compensation to be fixed by law and paid in the manner provided by law, which shall not be increased or diminished during the term for which they [shall] have been elected, unless a Vacancy occurs, in which case the successor of the former incumbent [shall] is entitled to receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of Money, to pay such compensation.

[Sec:] Sec. 3. For any reasonable cause to be entered on the journals of each House, which may [,] or may not be sufficient grounds for impeachment, the [Chief Justice and Associate] Justices of the Supreme Court , Judges of the Court of Appeals and Judges of the District Courts shall be removed from Office on the vote of two thirds of the Members elected to each branch of the Legislature, and the Justice or Judge complained of [,] shall be served with a copy of the complaint against him [,] and shall have an opportunity of being heard in person or by counsel in his defense, Provided, that no member of either branch of the Legislature shall be eligible to fill the vacancy occasioned by such removal.

[Sec:] Sec. 22. In case the office of any Justice of the Supreme Court, Judge of the Court of Appeals, District Judge or

other State officer [shall become] becomes vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the Governor until it [shall be] is supplied at the next general election, when it shall be filled by election for the residue of the unexpired term.

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RESOLVED, That the secretary of state shall assign a number to the new section added to article 6 according to the number of sections contained in that article when the addition of the new section becomes effective.

SUMMARY--Proposes election of chief justice by justices of supreme court. (BDR C-57)

JOINT RESOLUTION--Proposing to amend the Nevada constitution to provide for election of the chief justice by the justices of the supreme court and a change in his term.

RESOLVED BY THE AND OF THE STATE OF NEVADA,
JOINTLY, That section 3 of article 6 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] Sec. 3. The Justices of the Supreme Court, shall be elected by the qualified electors of the State at the general election, and shall hold office for the term of Six Years from and including the first Monday of January next succeeding their election; Provided, that there shall be elected, at the first election under this Constitution, Three Justices of the Supreme Court who shall hold Office from and including the first Monday of December AD. Eighteen hundred and Sixty four, and continue in Office thereafter, Two, Four and Six Years respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine by lot, the term of Office each shall fill . [, and the Justice drawing the shortest term shall be Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the Senior

Justice in Commission shall be Chief Justice; and in case the commission of any two or more of said Justices shall bear the same date, they shall determine by lot, who shall be Chief Justice.] The justices shall biennially elect from among themselves a chief justice to serve a term of 2 years beginning on the 1st Monday of January of the even-numbered year. A chief justice may be elected to successive terms. The justices shall fill by election for the unexpired term any vacancy which may occur.

SUMMARY--Provides for compensation of masters in district courts at public expense. (BDR 1-58)

Fiscal Note: Local Government Impact: Yes.

State or Industrial Insurance Impact: No.

AN ACT relating to district courts; providing for the compensation of masters at public expense; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 3 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. In addition to the specific provisions for partition of real property, within the limits of the budget for his court or department, a district judge may appoint and fix the compensation of one or more masters, for a term not to exceed his own or for a particular case, to hear or examine any matter and to decide such matters as the judge may prescribe, but his decision shall be reviewed by the judge on motion of a party or his own motion. The compensation of a master so appointed shall be paid as the compensation of the clerk is paid, and shall not be charged as a cost against any party to an action or proceeding.

2. If there is no appropriation from which the compensation of a master may be paid pursuant to subsection 1, the judge may in a

civil action appoint a master and provide for his compensation pursuant to N.R.C.P. 53.

Sec. 2. NRS 108.239 is hereby amended to read as follows:

108.239 1. Liens may be enforced by an action in any court of competent jurisdiction, on setting out in the complaint the particulars of the demand, with a description of the premises to be charged with the lien.

2. At the time of filing the complaint and issuing the summons, the plaintiff shall cause a notice to be published at least once a week for 3 successive weeks, in one newspaper published in the county, and if there is no newspaper published in the county, then in such mode as the court may determine, notifying all persons holding or claiming liens under the provisions of NRS 108.221 to 108.2395, inclusive, on the premises to file with the clerk and serve on the plaintiff and also on the defendant, if the defendant is within the state or is represented by counsel, written statements of the facts constituting their liens, together with the dates and amounts thereof. The statements shall be filed within 10 days of the last publication of the notice. The plaintiff and other parties adversely interested shall be allowed 5 days to answer such statements.

3. If it appears from the records of the county recorder that there are other lien claims recorded against the same premises at the time of the commencement of the action, the plaintiff shall, in

addition to and after the initial publication of the notice as provided in subsection 2, mail to such other lien claimants, by registered or certified mail, or deliver in person a copy of the notice as published.

4. The summons and complaint shall be served upon the defendant, and the defendant shall be allowed to answer, deny or otherwise plead or defend, as provided by the Nevada Rules of Civil Procedure.

5. The court shall [enter judgment according to the right of the parties, and shall, by decree,] proceed to hear and determine the claims in a summary way, or may, if it be the district court, refer the same to a master to ascertain and report upon the liens and the amount justly due thereon. All liens not [so exhibited] proven in the action shall be deemed to be waived in favor of those which are so [exhibited.] proven.

6. On ascertaining the whole amount of the liens with which the premises are justly chargeable, as provided in NRS 108.221 to 108.-2395, inclusive, the court shall cause the premises to be sold in satisfaction of the liens and costs, including costs of suit, and any party in whose favor such judgment may be rendered may cause the premises to be sold within the time and in the manner provided for sales on execution, issued out of any district court, for the sale of real property.

7. If the proceeds of sale, after the payment of costs, are not sufficient to satisfy the whole amount of such liens included in the decree of sale, then the proceeds shall be apportioned according to the right of the several parties. In case the proceeds of the sale amount to more than the sum of the liens and the cost of sale, then the remainder shall be paid over to the owner of the property.

8. Each party whose claim is not satisfied in the manner [herein provided for] provided in this section shall have personal judgment for the residue against the party legally liable for the same if such person has been personally summoned or has appeared in the action.

9. This section shall be applicable to actions in justices' courts as to action on, trial of and sale of premises under mechanics' liens, where the sum involved is within the provisions of paragraph (k) of subsection 1 of NRS 4.370.

Sec. 3. NRS 270.120 is hereby amended to read as follows:

270.120 1. [The court or judge trying the cause may refer any questions of fact arising therein to a master or commissioner for findings and determination, and the findings of such master or commissioner shall be subject to review by such court or judge.

2.] The court or judge before whom the cause is tried shall have full jurisdiction over all questions that may be properly at issue upon the pleadings, including such issues that may arise by reason

of any conflict between the lots, blocks, streets, alleys, highways, parks, cemeteries, schools and other public properties, or the lines or corners thereof, as shown by the map or maps, or plat or plats, filed with the complaint, and the rights or alleged rights of any one or more of the owners of any of the property described in the complaint or embraced in the map or maps, or plat or plats.

[3.] 2. In the event that it is necessary, for the purpose of fixing and establishing the map or maps, or plat or plats, to devote any pieces or parcels of property owned by any of the defendants within the city, subdivision or addition to public uses as streets or alleys, it shall be proper for the court or judge to appoint three appraisers, who shall appraise and assess the value of such property, and the court may condition the approval of such map or plat on the payment or proper tender by plaintiff to such party defendant of such assessed sum. Any two of such three appraisers shall be competent to act, and their appraisal or assessment shall be subject to review by the court.

Sec. 4. NRS 293.413 is hereby amended to read as follows:

293.413 1. The statement of contest provided for in NRS 293.-407 shall be filed with the clerk of the district court no later than 5 days after a recount is completed, and no later than 14 days after the election if no recount is demanded. The parties to a contest shall be denominated contestant and defendant.

2. The court shall set the matter for hearing not less than 5 days nor more than 10 days after the filing of the statement of contest. Election contests shall take precedence over all regular business of the court in order that results of elections shall be determined as soon as practicable.

[3. The court may refer the contest to a special master in the manner provided by the Nevada Rules of Civil Procedure, and such special master shall have all powers necessary for a proper determination of the contest.]

Sec. 5. NRS 548.450 is hereby amended to read as follows:

548.450 1. Upon the presentation of the petition, the court shall cause process to be issued against the defendant, and shall hear the case.

[2.] If it [shall appear] appears to the court that testimony is necessary for the proper disposition of the matter, the court may take evidence . [or appoint a master to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made.]

[3.] 2. The court may dismiss the petition; or it may require the defendant to perform the work, operations or avoidances, and may provide that upon the failure of the defendant to initiate

such performance within the time specified in the order of the court, and to prosecute [the same] it to completion with reasonable diligence, the commission may enter upon the lands involved and perform the work or operations or otherwise bring the condition of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof, with interest at the rate of 5 percent per annum, from the occupier of such lands.

Sec. 6. NRS 62.090 is hereby repealed.

SUMMARY--Proposes to remove requirement that county clerk be ex officio clerk of court. (BDR C-59)

JOINT RESOLUTION--Proposing to amend the Nevada constitution by removing the designation of the county clerks as ex officio clerks of the courts of record.

RESOLVED BY THE AND OF THE STATE OF NEVADA,
JOINTLY, That section 32 of article 4 of the constitution of the State of Nevada be amended to read as follows:

Sec. 32. The Legislature shall have power to increase, diminish, consolidate or abolish the following county officers: County Clerks, County Recorders, Auditors, Sheriffs, District Attorneys and Public Administrators. The Legislature shall provide for their election by the people, and fix by law their duties and compensation. County Clerks shall be ex-officio Clerks [of the Courts of Record and] of the Boards of County Commissioners in and for their respective counties.

SUMMARY--Enlarges permissible use of sound recording by courts.
(BDR 1-60)

Fiscal Note: Local Government Impact: Yes.

State or Industrial Insurance Impact: No.

AN ACT relating to courts of justice; enlarging the permissible use of sound recording; providing for appeals from lower trial courts to the district court upon the record; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 3.380 is hereby amended to read as follows:

3.380 1. The judge or judges of any district court may, with the approval of the board of county commissioners of any one or more of the counties comprising such district, in addition to or in lieu of the appointment of a court reporter as in this chapter provided, enter an order for the installation of sound recording equipment for use in any of the instances recited in NRS 3.320, for the recording of any and all civil and criminal proceedings, testimony, objections, rulings, exceptions, arraignments, pleas, sentences, statements and remarks made by the district attorney or judge, oral instructions given by the judge and any and all other proceedings occurring in civil or criminal actions or proceedings, or special proceedings whenever and wherever and to like extent as any of such proceedings [have heretofore

under existing statutes been] are pursuant to law recorded by the official reporter or any special reporter or any reporter pro tempore appointed by the court.

2. For the purpose of operating such sound recording equipment the court or judge may appoint or designate the official reporter or a special reporter or reporter pro tempore or the county clerk or clerk of such court or deputy clerk. The person so operating such sound recording equipment shall subscribe to an oath that he will well and truly operate the same so as to record all of such matters and proceedings.

3. The court may then designate such person so operating such equipment or any other competent person to read the recording and to transcribe the same into typewriting. The person so transcribing such recording shall subscribe to an oath that he has truly and correctly transcribed the same.

4. Such transcript may be used for all purposes for which transcripts [have heretofore been] are received and accepted under [then] existing statutes, including transcripts of testimony and transcripts of proceedings [as constituting bills of exceptions or part of the bill of exceptions on appeals in all criminal cases and transcripts of the evidence or proceedings] as constituting the record on appeal in civil and criminal cases and including transcripts of preliminary hearings before justices of the peace

and other committing magistrates, and shall be subject to correction in like manner as transcripts under existing statutes.

Sec. 2. Chapter 4 of NRS is hereby amended by adding thereto a new section which shall read as follows:

A justice of the peace may employ a certified shorthand reporter, or sound recording equipment approved by the court administrator and operated by a person so approved, to record any proceedings or testimony in his court.

Sec. 3. Chapter 5 of NRS is hereby amended by adding thereto a new section which shall read as follows:

A police judge may employ a certified shorthand reporter, or sound recording equipment approved by the court administrator and operated by a person so approved, to record any proceedings or testimony in his court.

Sec. 4. NRS 171.198 is hereby amended to read as follows:

171.198 1. [The magistrate shall employ a certified shorthand reporter to take down all] All the testimony and the proceedings on the hearing or examination [,] shall be reported or recorded, and within such time as the court may designate [have] such testimony and proceedings shall be transcribed into typewritten transcript.

2. [The reporter employed as provided in subsection 1 shall be sworn by the magistrate before whom such proceedings are held to record verbatim, truthfully and correctly such proceedings and

testimony, and to make a true and correct transcript thereof into typewritten transcript.

3. When the testimony of each witness is all taken and transcribed by the reporter, the reporter shall certify to the transcript in the same manner as for a transcript of testimony in the district court, which certificate shall authenticate the transcript for all purposes of this Title.

4.] Prior to the date set for trial, either party may move the court before which the case is pending to add to, delete from, or otherwise correct the transcript to conform with the testimony as given and to settle the transcript so altered.

[5. The compensation for the services of a reporter employed as provided in this section shall be the same as provided in subsection 1 of NRS 3.370, to be paid out of the county treasury as other claims against the county are allowed and paid.

6. Testimony reduced to writing and authenticated according to the provisions of this section must be filed by the examining magistrate with the clerk of the district court of his county, and in case the prisoner is subsequently examined upon a writ of habeas corpus, such testimony must be considered as given before such judge or court.] A copy of the transcript shall be furnished without charge to the defendant and to the district attorney.

[7.] 3. The testimony so taken may be used:

(a) By the defendant; or

(b) By the state if the defendant was represented by counsel or affirmatively waived his right to counsel,

ush upon the trial of the cause, and in all proceedings therein, when the witness is sick, out of the state, dead, or when his personal attendance cannot be had in court.

Sec. 5. NRS 175.011 is hereby amended to read as follows:

175.011 1. In a district court, cases required to be tried by jury shall be so tried unless the defendant waives a jury trial in writing with the approval of the court and the consent of the state. A defendant who pleads not guilty to the charge of a capital offense must be tried by jury.

2. In a justice's court, a case shall be tried by jury only if the defendant so demands in writing not less than 5 days prior to trial. Where a case is tried by jury, [a reporter must be present who is an official reporter for a district court of this state, and shall report the trial.] the testimony and proceedings shall be reported or recorded.

Sec. 6. NRS 189.030 is hereby amended to read as follows:

189.030 1. The justice must, within [10] 30 days after the notice of appeal is filed, transmit to the clerk of the district court all papers and any exhibits relating to the case and : [a certified copy of his docket.]

(a) The reporter's transcript of testimony and proceedings;
or

(b) If the testimony and proceedings were audibly recorded,
this record.

2. The justice shall give notice to the appellant or his attorney that all such [papers] materials have been filed with the clerk of the district court.

3. The form and manner of preparation of the record, papers and any exhibits filed may be prescribed by the supreme court.

Sec. 7. NRS 189.040 is hereby amended to read as follows:

189.040 1. [When an appeal is taken, the justice must,] If the district court orders trial anew and if application is made by the [district attorney,] attorney for the prosecution, the justice shall cause all material witnesses on behalf of the prosecution to enter into an undertaking in like manner as in a case where a defendant is held to answer on a preliminary examination.

2. [When it shall satisfactorily appear] If it satisfactorily appears by examination on oath of the witness or any other person that the witness is unable to procure sureties, the witness may be forthwith conditionally examined on behalf of the state.

3. The examination must be by question and answer in the presence of the defendant or after notice to him, if on bail, and reduced to writing, and the witness must thereupon be discharged.

4. The testimony as given, subscribed by the witness and duly certified to by the justice, may be read in evidence by the state, or by the defendant, upon any subsequent trial of the same case in the district court on appeal, upon it being satisfactorily shown that the witness is either dead, unable to attend, or out of the state.

Sec. 8. NRS 189.050 is hereby amended to read as follows:

189.050 [An appeal duly perfected transfers the action to the district court for trial anew.]

1. The appeal shall be decided in the district court upon the record without the taking of additional evidence unless the district court finds that justice requires trial anew.

2. If the action is tried anew, it shall be tried without a jury.

Sec. 9. NRS 189.070 and 189.080 are hereby repealed.

SUMMARY--Consolidates municipal into justices' courts. (BDR 1-61)

Fiscal Note: Local Government Impact: Yes.
State or Industrial Insurance Impact:
No.

AN ACT relating to courts of justice; transferring the jurisdiction of municipal courts to the justices' courts; enlarging the number of justices of the peace in certain townships; providing for the payment of municipal fines and bail forfeitures into the respective city treasuries; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 1.010 is hereby amended to read as follows:

1.010 The following shall be the courts of justice for this state:

1. The supreme court.
2. The district courts.
3. Justices' courts.

[4. Such municipal courts as may from time to time be established by the legislature in incorporated cities or towns.]

Sec. 2. NRS 1.050 is hereby amended to read as follows:

1.050 1. The district court in and for Carson City shall sit at Carson City.

2. Except as provided in subsection 4, every other court of justice, except a justice's [or municipal] court, shall sit at the county seat of the county in which it is held.

3. Justices' courts shall be held in their respective townships, [precincts or cities, and municipal courts in their respective cities.] within the city if there is one.

4. The parties to an action in a district court may stipulate, with the approval of the court, that the action may be tried, or any proceeding related to the action may be had, before that court at any other place in this state where a district court is regularly held.

Sec. 3. NRS 1.130 is hereby amended to read as follows:

1.130 1. No court except a justice's court [or a municipal court shall] may be opened nor [shall] may any judicial business be transacted except by a justice's court [or municipal court] on Sunday, or on any day declared to be a legal holiday according to the provisions of NRS 236.015, except for the following purposes:

(a) To give, upon their request, instructions to a jury then deliberating on their verdict.

(b) To receive a verdict or discharge a jury.

(c) For the exercise of the power of a magistrate in a criminal action or in a proceeding of a criminal nature.

(d) For the issue of a writ of attachment, which may be issued on each and all of the days above enumerated upon the plaintiff, or some person in his behalf, setting forth in the affidavit required by law for obtaining the writ the additional averment as follows: That the affiant has good reason to believe, and

does believe, that it will be too late for the purpose of acquiring a lien by the writ to wait until subsequent day for the issuance of the same. All proceedings instituted, and all writs issued, and all official acts done on any of the days above specified, under and by virtue of this section, [shall] have all the validity, force and effect of proceedings commenced on other days, whether a lien [be] is obtained or a levy made under and by virtue of the writ.

2. [Nothing herein contained shall] This section does not affect private transactions . [of any nature whatsoever.]

Sec. 4. NRS 1.370 is hereby amended to read as follows:

1.370 1. All judges, clerks and employees of the district courts [,] and justices' courts [and municipal courts] shall provide the court administrator with any records, papers or other information that he may require and shall cooperate with him in every possible manner in order to effectuate the purposes of NRS 1.320 to 1.370, inclusive.

2. Subsection 1 does not authorize disclosure by the court administrator of records and papers not otherwise open to public inspection.

Sec. 5. NRS 4.020 is hereby amended to read as follows:

4.020 1. There shall be one justice's court in each of the townships of the state, for which there shall be elected by the

qualified electors of the township at a general state election in November 1974, and every 4 years thereafter, the following number of justices of the peace according to the population of the township as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce.

(a) If the population is less than [60,000,] 25,000, one justice of the peace.

(b) If the population is [60,000] 25,000 or more but less than [150,000,] 75,000, two justices of the peace.

(c) If the population is [150,000 or more,] 75,000 or more but less than 150,000, four justices of the peace.

(d) If the population is 150,000 or more, seven justices of the peace.

2. The term of office of justices of the peace shall be 4 years beginning on the 1st Monday in January next succeeding their election.

3. Justices of the peace shall receive certificates of election from the boards of county commissioners of their respective counties.

4. The clerk of the board of county commissioners shall, within 10 days after the election or appointment and qualification of any justice of the peace, certify under seal to the secretary of state the election or appointment and qualification of the justice of the peace. The certificate shall be filed in

the office of the secretary of state as evidence of the official character of such officer.

Sec. 6. NRS 4.290 is hereby amended to read as follows:

4.290 The justice appointed or elected to fill a vacancy is the successor of the justice whose office became vacant before the expiration of a full term. When a full term expires, the [same, or another] person elected to take office in the same department or township [, from that time] is the successor.

Sec. 7. NRS 4.360 is hereby amended to read as follows:

4.360 The courts held by justices of the peace are denominated justices' courts. They shall have no terms, but shall always be open. [Justices' courts shall be held in their respective townships.]

Sec. 8. NRS 4.370 is hereby amended to read as follows:

4.370 1. Justices' courts [shall] have jurisdiction of the following actions and proceedings:

(a) In actions arising on contract for the recovery of money only, if the sum claimed, exclusive of interest, does not exceed \$300.

(b) In actions for damages for injury to the person, or for taking, detaining, or injuring personal property, or for injury to real property where no issue is raised by the verified answer of the defendant involving the title to or possession of the same, if the damage claimed does not exceed \$300.

(c) In actions for a [fine,] penalty [,] or forfeiture, not exceeding \$300, given by statute [,] or the ordinance of [an incorporated or unincorporated] a county, town or city , where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll, or municipal fine.

(d) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed \$300, though the penalty may exceed that sum.

(e) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed \$300.

(f) In actions to recover the possession of personal property if the value of such property does not exceed \$300.

(g) To take and enter judgment on the confession of a defendant, when the amount confessed, exclusive of interest, does not exceed \$300.

(h) Of actions for the possession of lands and tenements where the relation of landlord and tenant exists.

(i) Of actions when the possession of lands and tenements has been unlawfully or fraudulently obtained or withheld, in which case the proceeding shall be as prescribed by NRS upon that subject.

(j) Of suits for the collection of taxes, where the amount of the tax sued for does not exceed \$300.

(k) Of an action or proceeding to abate a nuisance in any city within the township.

(1) Concurrent jurisdiction with the district courts of actions for the enforcement of mechanics' liens, where the amount of the lien sought to be enforced, exclusive of interest, does not exceed \$300.

2. The jurisdiction conferred by this section [shall] does not extend to civil actions, in which the title of real property or mining claims, or questions affecting the boundaries of land, are involved; and if questions of title to real property [be] are involved, cases involving such questions shall be disposed of as provided in NRS.

3. Justices' courts [shall] have jurisdiction of the following public offenses, committed within the respective counties in which courts are established:

(a) Petit larceny.

(b) Assault and battery, not charged to have been committed upon a public officer in the discharge of his duties, or with intent to kill.

(c) Breaches of the peace, riots, affrays, committing a willful injury to property, and all misdemeanors punishable by fine not exceeding \$500, or imprisonment not exceeding 6 months, or by both such fine and imprisonment.

(d) Violation of any county or town ordinance.

4. Justices' courts have jurisdiction of the violation of any city ordinance within their respective townships.

5. Except as provided in subsection [5,] 6, in criminal cases the jurisdiction of justices of the peace extends to the limits of their respective counties.

[5.] 6. In the case of any arrest made by a member of the Nevada highway patrol pursuant to the duties prescribed by NRS 481.180, or by an inspector or field agent of the motor carrier division of the department of motor vehicles, the jurisdiction of the justices of the peace extends to the limits of their respective counties and to the limits of all counties which have common boundaries with their respective counties.

Sec. 9. Chapter 4 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In each township for which more than one justice of the peace is provided by law, the justices shall, on the first judicial day of each year, choose from among themselves an administrative justice who shall:

1. Assign cases to each justice;
2. Prescribe the hours of court; and
3. Administer such other rules as are necessary for the orderly conduct of court business.

Sec. 10. NRS 34.020 is hereby amended to read as follows:

34.020 1. This writ may be granted, on application, by the supreme court, a district court, or a judge of the district court. When the writ is issued by the district court or a judge of the district court it shall be made returnable before the district court.

2. The writ shall be granted in all cases when an inferior tribunal, board or officer, exercising judicial functions, has exceeded the jurisdiction of such tribunal, board or officer and there is no appeal, nor, in the judgment of the court, any plain, speedy and adequate remedy.

3. In any case prosecuted for the violation of a statute or municipal ordinance wherein an appeal has been taken from a justice's court [or from a municipal court,] and wherein the district court has passed upon the constitutionality or validity of such statute or ordinance, the writ shall be granted by the supreme court upon application of the state or municipality or defendant, for the purpose of reviewing the constitutionality or validity of such statute or ordinance, but in no case shall the defendant be tried again for the same offense.

Sec. 11. NRS 50.245 is hereby amended to read as follows:

50.245 Where criminal or quasi-criminal cases originating in [the municipal court of an incorporated town or city] a justice's court for the violation of a city ordinance are brought before

the district court, the county clerk shall give a statement of the amounts due to witnesses, in the manner and form provided in NRS 50.235, to the district judge, who shall, upon approval thereof, by an order subscribed by him, direct the treasurer of the [town or] city to pay the [same.] approved amounts. Upon the production of the order, or a certified copy thereof, the treasurer of the [town or] city shall pay the sum specified therein out of any fund in the [town or] city treasury not otherwise specially appropriated or set apart. It [shall not be] is not necessary for such order to be otherwise audited or approved.

Sec. 12. NRS 62.040 is hereby amended to read as follows:

62.040 1. Except as otherwise provided in this chapter, the court has exclusive original jurisdiction in proceedings:

(a) Concerning any child living or found within the county who is neglected because:

(1) He has been abandoned by his parents, guardian, or other custodian;

(2) He is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his well-being because of the faults or habits of his parents, guardian or other custodian or their neglect or refusal, when able to do so, to provide them;

(3) His parents, guardian, or other custodian are unable to discharge their responsibilities to and for the child because of

incarceration, hospitalization or other physical or mental incapacity; or

(4) He has been placed for care or adoption in violation of law.

(b) Concerning any child living or found within the county who is in need of supervision because he:

(1) Is a child who is subject to compulsory school attendance and is an habitual truant from school;

(2) Habitually disobeys the reasonable and lawful demands of his partents, guardian, or other custodian, and is unmanageable; or

(3) Deserts, abandons or runs away from his home or usual place of abode, and is in need of care or rehabilitation. Such a child shall not be considered a delinquent.

(c) Concerning any child living or found within the county who has committed a delinquent act. A child commits a delinquent act if he:

(1) Commits an act designated a crime under the law of the State of Nevada, or who violates a county or municipal ordinance or any rule or regulation having the force and effect of law; or

(2) Violates the terms or conditions of an order of court determining that he is a child in need of supervision.

(d) Concerning any child in need of commitment to an institution for the mentally retarded.

2. This chapter does not deprive other courts of the right to determine the custody of children upon writs of habeas corpus, or to determine the custody or guardianship of children in divorce or domestic relations cases.

3. This chapter does not deprive justices' courts [and municipal courts] in any county having a population of 200,000 or more, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, of original jurisdiction to try [juveniles] children charged with minor traffic violations but:

(a) The restrictions set forth in subsection 3 of NRS 62.170 are applicable in such proceedings; and

(b) Such justices' courts [and municipal courts] may, upon adjudication of guilt of such offenses, refer any [juvenile] child to the juvenile court for sentencing if such referral is deemed in the best interest of the child and where [such minor] the child is unable to pay the fine assessed or has been ordered to be imprisoned.

In all other cases prior consent of the juvenile court judge or judges is required before reference to the juvenile court may be ordered. Any child charged in a justice's court [or municipal court] pursuant to this subsection shall be accompanied at all proceedings by a parent or legal guardian.

Sec. 13. NRS 62.205 is hereby amended to read as follows:

62.205 Any decree or order entered by a judge or master of a juvenile court, district court [,] or justice's court [or municipal court] concerning a child within the purview of this chapter shall contain, for the benefit of the child, an explanation of the contents of NRS 62.275.

Sec. 14. NRS 62.275 is hereby amended to read as follows:

62.275 1. In any case in which a child is taken into custody by a peace officer, is taken before a probation officer, or appears before a judge or master of a juvenile court, district court [,] or justice's court , [or municipal court,] the child or a probation officer on his behalf may petition for the sealing of all records relating to the child, including records of arrest, but not including records relating to misdemeanor traffic violations, in the custody of the juvenile court, district court, justice's court , [or municipal court,] probation officer, law enforcement agency, or any other agency or public official, if:

(a) Three years or more have elapsed after termination of the jurisdiction of the juvenile court; or

(b) Three years or more have elapsed since the child was so taken or so appeared.

2. The court shall notify the district attorney of the county and the probation officer, if he is not the petitioner. The

district attorney, probation officer, any of their deputies or any other persons having relevant evidence may testify at the hearing on the petition.

3. If, after the hearing, the court finds that, since such termination of jurisdiction, the child has not been convicted of a felony or of any misdemeanor involving moral turpitude and that rehabilitation has been attained to the satisfaction of the court, it shall order all records, papers and exhibits in such person's case in the custody of the juvenile court, district court, justice's court, [municipal court,] probation officer, law enforcement agency or any other agency or public official sealed. Other records relating to the case, in the custody of such other agencies and officials as are named in the order, shall also be ordered sealed. All juvenile records [,] shall be automatically sealed when the person reaches 24 years of age.

4. The court shall send a copy of the order to each agency and official named therein. Each agency and official shall, within 5 days after receipt of the order:

(a) Seal records in its custody, as directed by the order.

(b) Advise the court of its compliance.

(c) Seal the copy of the court's order that it or he received.

As used in this section, "seal" means placing the records in a separate file or other repository not accessible to the general public.

5. If the court orders the records sealed, all proceedings recounted in the records are deemed never to have occurred and the [minor] child may properly reply accordingly to any inquiry concerning the proceedings and the events which brought about the proceedings.

6. The person who is the subject of records sealed pursuant to this section may petition the court to permit inspection of the records by a person named in the petition and the court may order such inspection.

7. The court may, upon the application of a district attorney or an attorney representing a defendant in a criminal action, order an inspection of such records for the purpose of obtaining information relating to persons who were involved in the incident recorded.

8. An agency charged with the medical or psychiatric care of a person may petition the court to unseal his juvenile records.

Sec. 15. NRS 108.239 is hereby amended to read as follows:

108.239 1. Liens may be enforced by an action in any court of competent jurisdiction, on setting out in the complaint the particulars of the demand, with a description of the premises to be charged with the lien.

2. At the time of filing the complaint and issuing the summons, the plaintiff shall cause a notice to be published at least once

a week for 3 successive weeks, in one newspaper published in the county, and if there is no newspaper published in the county, then in such mode as the court may determine, notifying all persons holding or claiming liens under the provisions of NRS 108.221 to 108.2395, inclusive, on the premises to file with the clerk and serve on the plaintiff and also on the defendant, if the defendant is within the state or is represented by counsel, written statements of the facts constituting their liens, together with the dates and amounts thereof. The statements shall be filed within 10 days of the last publication of the notice. The plaintiff and other parties adversely interested shall be allowed 5 days to answer such statements.

3. If it appears from the records of the county recorder that there are other lien claims recorded against the same premises at the time of the commencement of the action, the plaintiff shall, in addition to and after the initial publication of the notice as provided in subsection 2, mail to such other lien claimants, by registered or certified mail, or deliver in person a copy of the notice as published.

4. The summons and complaint shall be served upon the defendant, and the defendant shall be allowed to answer, deny or otherwise plead or defend, as provided by the Nevada Rules of Civil Procedure.

5. The court shall enter judgment according to the right of the parties, and shall, by decree, proceed to hear and determine

the claims in a summary way, or may, if it be the district court, refer the same to a master to ascertain and report upon the liens and the amount justly due thereon. All liens not so exhibited shall be deemed to be waived in favor of those which are so exhibited.

6. On ascertaining the whole amount of the liens with which the premises are justly chargeable, as provided in NRS 108.221 to 108.2395, inclusive, the court shall cause the premises to be sold in satisfaction of the liens and costs, including costs of suit, and any party in whose favor such judgment may be rendered may cause the premises to be sold within the time and in the manner provided for sales on execution, issued out of any district court, for the sale of real property.

7. If the proceeds of sale, after the payment of costs, are not sufficient to satisfy the whole amount of such liens included in the decree of sale, then the proceeds shall be apportioned according to the right of the several parties. In case the proceeds of the sale amount to more than the sum of the liens and the cost of sale, then the remainder shall be paid over to the owner of the property.

8. Each party whose claim is not satisfied in the manner herein provided for shall have personal judgment for the residue against the party legally liable for the same if such person has been personally summoned or has appeared in the action.

9. This section shall be applicable to actions in justices' courts as to action on, trial of and sale of premises under mechanics' liens, where the sum involved is within the provisions of paragraph [(k)] (l) of subsection 1 of NRS 4.370.

Sec. 16. NRS 169.095 is hereby amended to read as follows:

169.095 "Magistrate" means an officer having power to issue a warrant for the arrest of a person charged with a public offense , [and includes:] namely:

1. Justices of the supreme court;
2. Judges of the district courts; and
3. Justices of the peace . [;
4. Police judges; and
5. Others upon whom are conferred by law the powers of a justice of the peace in criminal cases.]

Sec. 17. NRS 169.125 is hereby amended to read as follows:

169.125 "Peace officer" includes:

1. The bailiff of the supreme court and bailiffs of the district courts [,] and justices' courts ; [and municipal courts;]
2. Sheriffs of counties and of metropolitan police departments and their deputies;
3. Constables;
4. Personnel of the Nevada highway patrol when exercising the police powers specified in NRS 481.150 and 481.180;

5. The inspector or field agents of the motor carrier division of the department of motor vehicles when exercising the police powers specified in NRS 481.049;
6. Members of and all inspectors employed by the public service commission of Nevada when exercising those enforcement powers conferred by chapters 704 to 706, inclusive, of NRS;
7. Marshals and policemen of cities and towns;
8. Parole and probation officers;
9. Special investigators employed by the office of any district attorney or the attorney general;
10. Arson investigators for fire departments specially designated by the appointing authority;
11. Members of the University of Nevada System police department;
12. The state fire marshal and his deputies;
13. The brand inspectors of the state department of agriculture when exercising the enforcement powers conferred in chapter 565 of NRS;
14. Arson investigators for the state forester firewarden specially designated by the appointing authority;
15. The deputy warden, correctional officers and other employees of the Nevada state prison when carrying out any duties prescribed by the warden of the Nevada state prison;

16. Nevada state park system employees designated by the administrator of the Nevada state park system in the state department of conservation and natural resources when exercising police powers specified in NRS 407.065;

17. Security officers employed by the board of trustees of any school district;

18. The executive, supervisory and investigative personnel of the Nevada gaming commission and the state gaming control board when exercising the enforcement powers specified in NRS 463.140;

19. The director, division chiefs, investigators, agents and other sworn personnel of the department of law enforcement assistance;

20. Field dealer inspectors of the vehicle compliance and enforcement section of the registration division of the department of motor vehicles when exercising the police powers specified in NRS 481.048;

21. Vehicle emission control officers of the vehicle emission control section of the registration division of the department of motor vehicles when exercising the police powers specified in NRS 481.0481;

22. The personnel of the Nevada department of fish and game when exercising those enforcement powers conferred by Title 45 and chapter 488 of NRS; and

23. Security officers of the legislature of the State of Nevada when protecting the persons and property of the members of the legislature, staff of the legislature and personnel of the legislative counsel bureau.

Sec. 18. NRS 170.060 is hereby amended to read as follows:

170.060 [1.] A complaint may be filed and warrant issued, as in other criminal cases, for the arrest of any person who has threatened to commit an offense against the person or property of another.

[2. Such a complaint may also be filed in a municipal court. The] A city attorney [shall] may act as prosecutor . [, and the proceedings shall conform to the requirements of NRS 170.070 to 170.170, inclusive.]

Sec. 19. NRS 171.174 is hereby amended to read as follows:

171.174 If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be as in other cases of arrest under a warrant. If the arrest is without a warrant, the prisoner shall without unnecessary delay be taken before [a municipal court or] a justice of the peace or other magistrate of the county wherein such an arrest was made, and such [court] magistrate shall admit such person to bail, if the offense is bailable, by taking security by way of recognizance for the appearance of such prisoner before the court having jurisdiction of such criminal offense.

Sec. 20. NRS 171.188 is hereby amended to read as follows:

171.188 1. Any defendant charged with a public offense who is an indigent may, by oral statement to the district judge [,] or justice of the peace , [or municipal or police judge,] request the appointment of an attorney to represent him.

2. Such request shall be accompanied by the defendant's affidavit, which shall state:

- (a) That he is without means of employing an attorney; and
- (b) Facts with some particularity, definiteness and certainty concerning his financial disability.

3. The district judge [,] or justice of the peace [or municipal or police judge] shall forthwith consider the application and shall make such further inquiry as he may deem necessary. If the district judge [,] or justice of the peace : [or municipal or police judge:]

(a) Finds that the defendant is without means of employing an attorney; and

(b) Otherwise determines that representation is required, the judge or justice shall designate the public defender of the county or the state public defender, as appropriate, to represent him. If the appropriate public defender is unable to represent him, or other good cause appears, the court shall appoint another attorney.

4. The county or state public defender shall be reimbursed by the city for costs incurred in appearing in [municipal or police court.] justice's court in cases involving the violation of a city ordinance. The county shall reimburse the state public defender for costs incurred in appearing in [justice] other cases in justice's court. If a private attorney is appointed as provided in this section, he shall be reimbursed by the city for appearance in justice's court in cases involving the violation of a city ordinance and by the county for appearance in [justice court or the city for appearance in municipal or police court] other cases in justice's court in an amount not to exceed \$75 per case.

Sec. 21. NRS 172.015 is hereby amended to read as follows:

172.015 Every public offense must be prosecuted by indictment or information, except:

1. Where proceedings are had for the removal of a civil officer.
2. Offenses arising in the militia when in actual service in time of war, or which this state may keep, with the consent of Congress, in time of peace.
3. Offenses tried in [municipal or] justice's courts, which shall be prosecuted by complaint. A traffic citation or other complaint for the violation of an ordinance of a county, town or city shall be issued and the action brought in the name of the county, town or city as plaintiff.

Sec. 22. NRS 176.285 is hereby amended to read as follows:

176.285 In justice's court, when a fine is paid or bail is forfeited, the justice must , [pay the same to the county treasurer] within 30 days thereafter [.] :

1. If the offense was a violation of a city ordinance, pay the money to the city treasurer.

2. Otherwise, pay the money to the county treasurer for credit to the state or to the county or township in whose name the complaint was issued.

Sec. 23. NRS 178.518 is hereby amended to read as follows:

178.518 Money collected pursuant to NRS 178.506 to 178.516, inclusive, is to be paid over [to the county treasurer.] as provided in NRS 176.285.

Sec. 24. NRS 180.060 is hereby amended to read as follows:

180.060 1. The state public defender may, prior to being designated as counsel for an indigent person pursuant to NRS 171.188, interview such person when he has been arrested and confined for a public offense or for questioning on suspicion of having committed a public offense.

2. The state public defender shall, when designated pursuant to NRS 171.188, represent, without charge, each indigent person who is under arrest and held for a public offense.

3. When representing an indigent person, the state public defender shall:

(a) Counsel and defend him, if he is held in custody and charged with a public offense, at every stage of the proceedings, including revocation of probation or parole, following his designation by the appropriate judge of the district court [,] or justice of the peace ; [or municipal or police judge;] and

(b) Prosecute any appeals or other remedies before or after conviction that he considers to be in the interests of justice.

4. In cases of post-conviction proceedings and appeals arising in counties in which the office of public defender has been created pursuant to the provisions of chapter 260 of NRS, where the matter is to be presented to the supreme court, the state public defender shall prepare and present the case and the public defender of the county shall assist and cooperate with the state public defender.

Sec. 25. NRS 258.070 is hereby amended to read as follows:

258.070 1. Each constable shall:

(a) Be a peace officer in his township.

(b) Serve all mesne and final process issued by a justice of the peace [.] , except for violation of a city ordinance or in an action or proceeding to abate a nuisance within a city if otherwise directed.

(c) Discharge such other duties as are or may be prescribed by law.

2. In case a sheriff or his deputy in any county in this state shall make an arrest of any person or persons charged with a criminal offense or arrested in the commission of an offense, the sheriff or his deputy shall have the privilege, and he shall serve all process, whether mesne or final, and attend the court executing the order thereof in the prosecution of the person or persons so arrested, whether in a justice's court or a district court, to a final conclusion, and whether the same be an offense of which a justice of the peace has jurisdiction, or whether the same be a preliminary examination or hearing. The sheriff or his deputy shall receive the same fees and in the same manner therefor as the constable of the township, in which such justice's court is held, would receive for like service.

Sec. 26. NRS 260.050 is hereby amended to read as follows:

260.050 When representing an indigent person, the public defender shall:

1. Counsel and defend him, if he is held in custody and charged with a public offense at every stage of the proceedings, including revocation of probation or parole, following his designation by the appropriate judge of the district court [,] or justice of the peace ; [or municipal or police judge;] and

2. Prosecute, subject to the provisions of subsection 4 of NRS 180.060, any appeals or other remedies before or after conviction that he considers to be in the interests of justice.

Sec. 27 NRS 266.790 is hereby amended to read as follows:

266.790 [1. If, at the time of the entry of the judgment disincorporating a city, the provisions of chapter 269 of NRS apply immediately to such disincorporated city, then any justice of the peace within the town, as provided in NRS 269.165, shall have jurisdiction to execute and complete all unfinished business standing on the court records of the disincorporated city.

2.] If, at the time of the entry of the judgement disincorporating a city which has a voting population of less than 600 therein, no written petition is filed as provided in subsection 2 of NRS 266.785, then the provisions of NRS 265.060 shall thereafter apply.

Sec. 28. Chapter 268 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. All warrants issued by a justice's court for violation of a city ordinance shall run to any sheriff or constable of the county, or to the marshal or any policeman of the city.

2. Any constable or sheriff may serve any process or make any arrest authorized to be made by any officer of a city.

Sec. 29. Chapter 293 of NRS is hereby amended by adding thereto a new section which shall read as follows:

In any township of this state having more than one justice of the peace, each department is a separate office for the purposes of nominating and electing a justice of the peace therefor.

Sec. 30. NRS 483.470 is hereby amended to read as follows:

483.470 1. The department is hereby authorized to suspend the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee:

(a) Has committed an offense for which mandatory revocation of license is required upon conviction;

(b) Has been involved as a driver in any accident resulting in the death or personal injury of another or serious property damage;

(c) Is an habitually reckless or negligent driver of a motor vehicle;

(d) Is an habitual violator of the traffic laws;

(e) Is physically or mentally incompetent to drive a motor vehicle;

(f) Has permitted an unlawful or fraudulent use of such license;

(g) Has committed an offense in another state which if committed in this state would be grounds for suspension or revocation; or

(h) Has failed or refused to comply with the terms and conditions of issuance of a restricted license.

2. As used in this section, "traffic violation" means conviction on a charge involving a moving traffic violation in any [municipal court,] justice's court or district court in the State of Nevada, [and includes] or a finding by a juvenile court [pursuant to NRS

62.083] that a child has violated a traffic law or ordinance other than one governing standing or parking.

3. The department shall establish a uniform system of demerit points for various traffic violations occurring within the State of Nevada affecting any holder of a driver's license issued by the department.

4. Such system shall be a running system of demerits covering a period of 12 months next preceding any date on which a licensee may be called before the department to show cause as to why his driver's license should not be suspended.

5. Such system shall be uniform in its operation and the department shall set up a system of demerits for each traffic violation coming under this section, depending upon the gravity of such violation, on a scale of one demerit point for a minor violation of any traffic law to eight demerit points for an extremely serious violation of the law governing traffic violations. In the event of conviction of two or more traffic violations committed on a single occasion, points shall be assessed for one offense, and if the point values differ, points shall be assessed for the offense having the greater point value. Details of the violation shall be submitted to the department by the court where the conviction is obtained. The department may provide for a

graduated system of demerits within each category of violations according to the extent to which the traffic law was violated.

6. When any driver has accumulated three or more demerits points, but less than 12, the department shall notify him of this fact. If, after the department mails such notice, the driver presents proof to the department that he has successfully completed a traffic safety school course, approved by the department, for the number of hours prescribed by the course, with the approval of the department as constituting a course of instruction, the department shall cancel three demerit points from his driving record, pursuant to this subsection; but if such driver accumulates 12 or more demerit points before completing the traffic safety school, he will not be entitled to have demerit points canceled upon completion of such course, but shall have his license suspended. A person shall be allowed to attend only once in 12 months for the purpose of reducing his demerit points. The three demerit points can only be canceled from a driver's record during the 12-month period immediately following the driver's successful completion of the traffic safety school.

7. Any three-demerit-point reduction shall apply only to the demerit record of the driver and shall not affect his driving record with the department or insurance record.

8. When any licensee has accumulated 12 or more demerit points the department shall suspend the license of such licensee until the total of his demerits has dropped below 12 demerits in the next preceding 12 months.

9. The director of the department of motor vehicles is hereby empowered to set up a scale of demerit values for each traffic violation.

10. Upon suspending the license of any person as authorized in this section, the department shall immediately notify the licensee in writing, and upon his request shall afford him an opportunity for a hearing as early as practical within not to exceed 20 days after receipt of such request in the county wherein the licensee resides unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the administrator, or his duly authorized agent, may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee. Upon such hearing the department shall either rescind its order of suspension or, good cause appearing therefor, may extend the suspension of such license or revoke such license.

Sec. 31. NRS 697.340 is hereby amended to read as follows:

697.340 1. [No] A bail bondsman, general agent or bail solicitor shall [:] not:

(a) Suggest or advise the employment of or name for employment any particular attorney to represent his principal.

(b) Solicit business in or about any place where prisoners are confined or in or about any court.

(c) Pay a fee or rebate or give or promise anything of value to any person in order to secure a settlement, compromise, remission or reduction of the amount of any undertaking or bail bond.

(d) Pay a fee or rebate or give anything of value to an attorney in bail bond matters, except for legal services actually rendered.

(e) Pay a fee or rebate or give or promise anything of value to the principal or anyone in his behalf.

(f) Participate in the capacity of an attorney at a trial or hearing of one on whose bond he is surety, except for the purposes of surrendering the defendant, making motions to set aside orders of bail forfeitures and motions to exonerate bails and protecting his financial interest in such bond.

2. The following persons or classes shall not be bail bondsmen or bail solicitors and shall not directly or indirectly receive any benefits from the execution of any bail bond:

(a) Jailers;

(b) Police officers;

(c) Justices of the peace;

(d) [Municipal or police judges;

(e)] Sheriffs, deputy sheriffs and constables; [and

(f)] (e) Any person having the power to arrest or having anything to do with the control of federal, state, county or municipal prisoners ; and [.

(g)] (f) Trustees or prisoners incarcerated in any jail, prison or any other place used for the incarceration of persons.

3. A bail bondsman shall not sign nor countersign in blank any bond, [nor shall he] and shall not give the power of attorney to, or otherwise authorize, anyone to countersign his name to bonds unless the person so authorized is a licensed bondsman directly employed by the bondsman giving such power of attorney.

4. [No] A bail bondsman, bail solicitor or general agent shall not advertise or hold himself out to be a surety insurance company.

Sec. 32. NRS 5.010 to 5.090, inclusive, and NRS 266.540 to 266.595, inclusive, are hereby repealed.

Sec. 33. Section 1.080 of the charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, at page 56, is hereby amended to read as follows:

Sec. 1.080 Appointive offices.

1. The city council may appoint the following officers:

(a) City clerk.

(b) City marshal.

(c) [Police judge.

(d)] City treasurer.

[(e)] (d) City attorney.

[(f)] (e) City physician.

[(g)] (f) City manager.

2. The city council may establish such other offices as it deems necessary, prescribe the responsibilities and salaries thereof and fill such offices by appointment.

Sec. 34. Sections 4.010 to 4.040, inclusive, of the charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, at pages 65 and 66, are hereby repealed.

Sec. 35. Section 1.080 of the charter of the City of Carlin, being chapter 344, Statutes of Nevada 1971, at page 604, is hereby amended to read as follows:

Sec. 1.080 Appointive offices.

1. The board of councilmen of the city may appoint the following officers:

(a) City clerk.

(b) City treasurer.

(c) Chief of police.

(d) City engineer.

(e) City attorney.

(f) City auditor.

[(g) Municipal judge, if the office of justice of the peace of Carlin Township ceases to exist.]

2. The board of councilmen shall establish such other offices as it may deem necessary.

Sec. 36. Sections 4.010 to 4.040, inclusive, of the charter of the City of Carlin, being chapter 344, Statutes of Nevada 1971, at page 614, are hereby repealed.

Sec. 37. Sections 4.010 to 4.030, inclusive, of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, at page 304, are hereby repealed.

Sec. 38. Section 1.070 of the charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, as amended by chapter 52, Statutes of Nevada 1973, at page 71, is hereby amended to read as follows:

Sec. 1.070 Appointive offices.

1. The board of supervisors of the city shall appoint the following officers:

(a) City clerk.

(b) City attorney.

(c) Chief of police.

(d) [Municipal judge.

(e)] Fire chief.

[(f)] (e) City manager.

[(g)] (f) City engineer, who may be the city manager.

2. The board of supervisors [shall have the power to] may establish such other offices and [to] appoint such other officers as it may deem necessary.

Sec. 39. Sections 4.010 to 4.040, inclusive, of the charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, at page 487 and 488, are hereby repealed.

Sec. 40. Section 1.090 of the charter of the City of Gabbs, being chapter 265, Statutes of Nevada 1971, at page 386, is hereby amended to read as follows:

Sec. 1.090 Appointive offices.

1. The board of councilmen of the city may appoint the following officers:

(a) City clerk.

(b) [Municipal judge.

(c)] City treasurer.

[(d)] (c) City attorney.

[(e)] (d) City auditor.

[(f)] (e) City marshal.

2. The board of councilmen shall establish such other offices as it may deem necessary.

Sec. 41. Sections 4.010 to 4.030, inclusive, of the charter of the City of Gabbs, being chapter 265, Statutes of Nevada 1971, at page 396, are hereby repealed.

Sec. 42. Section 1.060 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 403, is hereby amended to read as follows:

Sec. 1.060 Elective offices.

1. The elective officers of the city consist of:

(a) A mayor.

(b) Four councilmen.

[(c) One municipal judge.]

2. Such officers shall be elected as provided by this charter.

Sec. 43. Section 1.070 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 403, is hereby amended to read as follows:

Sec. 1.070 Elective offices: Vacancies.

1. A vacancy in the city council or in the office of mayor [or municipal judge] shall be filled by a majority vote of the members of the city council, or the remaining members in the case of a vacancy in the city council, within 30 days after the occurrence of such vacancy. The appointee shall have the same qualifications as are required of the elective official.

2. No such appointment shall extend beyond the 1st Monday in July after the next municipal election, at which election the office shall be filled.

Sec. 44. Sections 4.010 to 4.040, inclusive, of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 415, are hereby repealed.

Sec. 45. Section 5.010 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 415, is hereby amended to read as follows:

Sec. 5.010 Primary election.

1. A primary election shall be held on the 1st Tuesday of May of each odd-numbered year, at which time there shall be nominated candidates for offices to be voted for at the next general municipal election.

2. A candidate for any office to be voted for at any primary municipal election shall file a declaration or acceptance of candidacy as provided by the Nevada election laws.

3. A candidate for mayor, councilman [, municipal judge] or any other office not otherwise provided for by law shall pay to the clerk, at the time of filing the affidavit of candidacy, the filing fee in the amount fixed by the city council.

4. All candidates for elective office shall be voted upon by the registered voters of the city at large.

5. If in the primary election no candidate receives a majority of the votes cast in that election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes shall be placed on the

ballot for the general election. If in the primary election, regardless of the number of candidates for an office, one candidate receives a majority of votes cast in that election for the office for which he is a candidate, he shall be declared elected and no general election need be held for that office.

Sec. 46. Section 5.020 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 416, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. A general election shall be held in the city on the 1st Tuesday after the 1st Monday in June of each odd-numbered year and on the same day every 2 years thereafter, at which time there shall be elected such officers, the offices of which are required next to be filled by election.

2. All candidates for the office of mayor [,] and councilman [and municipal judge] shall be voted upon by the registered voters of the city at large. The members of the city council, including the mayor, shall serve for terms of 4 years.

Sec. 47. Section 1.050 of the charter of the City of Las Vegas, being chapter 515, Statutes of Nevada 1971, at page 1064, is hereby amended to read as follows:

Sec. 1.050 Elective offices.

1. The elective officers of the city consist of:

(a) A mayor.

(b) Four commissioners.

(c) [Municipal judges, the number to be determined by the board of commissioners.

(d)] A city attorney.

2. Such officers shall be elected as provided by this charter.

Sec. 48. Section 1.070 of the charter of the City of Las Vegas, being chapter 515, Statutes of Nevada 1971, as amended by chapter 226, Statutes of Nevada 1975, at page 269, is hereby amended to read as follows:

Sec. 1.070 Elective offices: Vacancies.

1. A vacancy in the board of commissioners or in the office of mayor [,] or city attorney [or municipal judge] shall be filled by a majority vote of the members of the board of commissioners, or the remaining members in the case of a vacancy in the board of commissioners, within 30 days after the occurrence of such vacancy. The appointee shall have the same qualifications as are required of the elective official.

2. No such appointment shall extend beyond the next regularly scheduled meeting of the board of commissioners following the next municipal general election, at which election the office shall be filled for the remaining unexpired term.

Sec. 49. Sections 4.010 to 4.040, inclusive, of the charter of the City of Las Vegas, being chapter 515, Statutes of Nevada 1971, as last amended in part by chapter 752, Statutes of Nevada 1973, at pages 1572 and 1573, are hereby repealed.

Sec. 50. Section 5.010 of the charter of the City of Las Vegas, being chapter 515, Statutes of Nevada 1971, as last amended by chapter 226, Statutes of Nevada 1975, at page 270, is hereby amended to read as follows:

Section 5.010 Primary municipal elections.

1. On the Tuesday after the 1st Monday in May 1975, and at each successive interval of 4 years, there shall be held a primary municipal election, at which time there shall be nominated candidates for mayor and two offices of commissioner.

2. On the Tuesday after the 1st Monday in May 1977, and at each successive interval of 4 years, there shall be held a primary municipal election, at which time there shall be nominated candidates for city attorney [,] and two offices of commissioner . [and municipal judge, department 2. On the same date, there shall be nominated candidates for municipal judge, department 1, who shall be elected for two years.]

3. On the Tuesday after the 1st Monday in May 1979, and at each successive interval of 4 years, there shall be held a primary municipal election, at which time there shall be

nominated candidates for mayor [,] and two offices of commissioner . [and municipal judge, department 1.]

4. The candidates for commissioner to be nominated as provided in subsections 1 and 2 shall be voted for and nominated separately. The candidates from wards 1 and 3 shall be nominated as provided in subsection 1 and candidates from wards 2 and 4 nominated as provided in subsection 2.

5. All candidates for municipal offices as provided in subsections 1, 2, 3 and 4 shall file an affidavit of candidacy with the city clerk not less than 30 days nor more than 40 days before the primary election. If the last day limited for filing an affidavit of candidacy shall fall on a Saturday, Sunday, legal holiday or any holiday proclaimed by the governor, or the President of the United States, then the period so limited shall expire on the preceding business day at 5 p.m. The filing fee for each office shall be as established by ordinance by the board of commissioners.

6. If in the primary election no candidate receives a majority of votes cast in that election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes shall be placed on the ballot for the general election. If in the primary election, regardless of the number of candidates for an

office, one candidate receives a majority of votes cast in that election for the office for which he is a candidate, he shall be declared elected and no general election need be held for that office.

Sec. 51. Section 1.050 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at page 1211, is hereby amended to read as follows:

Sec. 1.050 Elective offices.

1. The elective officers of the city consist of:

(a) A mayor.

(b) Four councilmen.

[(c) One municipal judge.]

2. Such officers shall be elected as provided by this charter.

Sec. 52. Section 1.060 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at page 1211, is hereby amended to read as follows:

Sec. 1.060 Elective offices: Vacancies.

1. A vacancy in the city council or in the office of mayor [or municipal judge] shall be filled by a majority vote of the members of the city council, or the remaining members in the case of a vacancy in the city council, within 30 days after the occurrence of such vacancy. The appointee

shall have the same qualifications as are required of the elective official.

2. No such appointment shall extend beyond the 1st Monday in July after the next municipal election, at which election the office shall be filled for the remaining unexpired term.

Sec. 53. Sections 4.010 to 4.050, inclusive, of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at pages 1222 and 1223, are hereby repealed.

Sec. 54. Section 5.010 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at page 1223, is hereby amended to read as follows:

Sec. 5.010 General municipal elections.

1. [On the Tuesday after the 1st Monday in June 1975, and at each successive interval of 2 years, there shall be elected by the qualified voters of the city, at a general election to be held for that purpose, a municipal judge, who shall hold office for a period of 2 years and until his successor has been elected and qualified.

2.] On the Tuesday after the 1st Monday in June 1977, and at each successive interval of 4 years thereafter, there shall be elected by the qualified voters of the city, at a general election to be held for that purpose, a mayor and two councilmen, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

[3.] 2. On the Tuesday after the 1st Monday in June 1975, and at each successive interval of 4 years thereafter, there shall be elected by the qualified voters of the city, at a general election to be held for that purpose, two councilmen, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

Sec. 55. Section 5.020 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as amended by chapter 723, Statutes of Nevada 1973, at page 1442, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of candidacy.

1. The city council shall provide by ordinance for candidates for elective office to declare their candidacy and file the necessary documents.

2. If for any general municipal election there are three or more candidates for the offices of mayor [or municipal judge,] or five or more candidates for the office of councilman, a primary election for any such office shall be held on the Tuesday following the 1st Monday in May preceding such general election.

3. After the primary election, the names of the two candidates for mayor [and municipal judge] and the names of the

four candidates for city councilman who receive the highest number of votes shall be placed on the ballot for the general election unless one of the candidates for mayor [or municipal judge] receives a majority of the total votes cast for that office in the primary election, in which case such candidate shall be declared the winner.

Sec. 56. Section 1.060 of the charter of the City of Reno, being chapter 662, Statutes of Nevada 1971, as amended by chapter 553, Statutes of Nevada 1973, at page 876, is hereby amended to read as follows:

Sec. 1.060 Elective offices.

1. The elective officers of the city consist of:

(a) Seven councilmen.

(b) [One municipal judge, except the city council may provide for a second municipal judge in accordance with the provisions of section 4.010.

(c)] A city attorney.

2. Such officers shall be elected as provided by this charter.

Sec. 57. Section 1.070 of the charter of the City of Reno, being chapter 662, Statutes of Nevada 1971, at page 1963, is hereby amended to read as follows:

Sec. 1.070 Elective offices: Vacancies.

1. A vacancy in the city council or in the office of city attorney [or municipal judge] shall be filled by a majority

vote of the members of the city council, or the remaining members in the case of a vacancy in the city council, within 30 days after the occurrence of such vacancy. The appointee shall have the same qualifications as are required of the elective official.

2. The appointee shall serve the balance of the term of office to which he is appointed and until his successor is duly elected and qualified.

Sec. 58. Sections 4.010 to 4.050, inclusive, of the charter of the City of Reno, being chapter 662, Statutes of Nevada 1971, as last amended in part by chapter 553, Statutes of Nevada 1973, at pages 881 and 882, are hereby repealed.

Sec. 59. Section 5.010 of the charter of the City of Reno, being chapter 662, Statutes of Nevada 1971, at page 1977, is hereby amended to read as follows:

Sec. 5.010 General municipal elections.

1. On the Tuesday after the 1st Monday in June 1975, and at each successive interval of 4 years, there shall be elected by the qualified voters of the city, at a general election to be held for that purpose, councilmen from the second and fourth wards, one councilman at large [, a municipal judge] and a city attorney, all of whom shall hold office

for a term of 4 years and until their successors have been elected and qualified.

2. On the Tuesday after the 1st Monday in June 1977, and at each successive interval of 4 years, there shall be elected by the qualified voters of the city, at a general election to be held for that purpose, councilmen from the first, third and fifth wards and one councilman at large, all of whom shall hold office for a term of 4 years and until their successors have been elected and qualified.

Sec. 60. Section 5.020 of the charter of the City of Reno, being chapter 662, Statutes of Nevada 1971, at page 1977, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of candidacy.

1. A candidate for any office to be voted for at a municipal election shall file an affidavit of candidacy with the city clerk not less than 30 nor more than 40 days before the day of primary election. The city clerk shall charge and collect from the candidate and the candidate shall pay to the city clerk, at the time of filing the affidavit of candidacy, a

filing fee of \$25 for filing an affidavit of candidacy. All filing fees so collected by the city clerk shall be deposited to the credit of the general fund of the city.

2. If for any general municipal election there are three or more candidates for any office to be filled at such election, a primary election for any such office shall be held on the Tuesday following the 1st Monday in May preceding such general election. If for any general municipal election there are two or less candidates for any office to be filled at such election, their names shall not be placed on the ballot for the primary municipal election but shall be placed on the ballot for the general election.

3. In the primary election, the names of the two candidates for [municipal judge,] city attorney [,] or a particular city council seat, as the case may be, who receive the highest number of votes shall be placed on the ballot for the general election.

Sec. 61. Section 1.060 of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 725, is hereby amended to read as follows:

Sec. 1.060 Elective officers: Qualifications; salaries; terms of office.

1. The elective officers of the city consist of:

- (a) A mayor.
- (b) Five councilmen.
- (c) A city clerk.
- (d) A city attorney.

[(e) A municipal judge.]

2. All elective officers of the city, except the city attorney, shall be:

(a) Bona fide residents of the city for at least 30 days prior to the last day for filing a declaration of candidacy for such office.

(b) Registered voters within the city.

(c) At least 25 years of age.

3. No person shall be elected or appointed to the office of councilman who was not an actual bona fide resident of the ward to be represented by him for a period of at least 30 days prior to the last day for filing a declaration of candidacy for such office, or, in the case of appointment, 30 days prior to the day the office became vacant.

4. The city attorney shall be a registered voter and a duly licensed member of the State Bar of Nevada.

5. All elective officers shall:

(a) Reside within the city during their terms of office;

(b) Be voted upon at a general municipal election by the registered voters of the city at large; and

(c) Serve for terms of 4 years.

6. Each elective officer, except the mayor and councilmen, shall receive a salary in an amount fixed by the city council. At any time prior to January 1 of the year in which a general municipal election is held, the city council may enact an ordinance fixing the salary for each elective office for the 4-year term beginning on the 1st Monday in July following that election. Such ordinance may not be amended to increase or decrease the salary for any office during the term.

If the city council fails to enact such an ordinance prior to January 1 of the election year, the succeeding elective officers shall receive the same salaries as their respective predecessors.

Sec. 62. Section 1.070 of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 725, is hereby amended to read as follows:

Sec. 1.070 Elective offices; vacancies.

1. A vacancy in the city council, office of the city clerk [,] or city attorney [or municipal judge]

shall be filled by appointment of the mayor, subject to confirmation by the city council, or by the remaining members of the city council in case of vacancy in such council, within 30 days after the occurrence of such vacancy. If the majority of the council is unable or refuses for any reason to confirm any appointment made by the mayor within 30 days after the vacancy occurred, the city council shall present to the mayor the names of two qualified persons to fill the vacancy in the council. The mayor shall within 15 days after such presentation select one of the two qualified persons as councilman. The appointee shall have the same qualifications required of the elected official.

2. A vacancy in the office of the mayor shall be filled by the mayor pro tempore. The resulting vacancy in the city council shall be filled as provided in subsection 1.

3. The appointee or mayor pro tempore, in case of a vacancy in the office of mayor, shall serve the balance of the term of office to which he is appointed and until his successor is duly elected and qualified.

Sec. 63. Sections 4.010 to 4.050, inclusive, of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 735, are hereby repealed.

Sec. 64. Section 5.010 of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 736, is hereby amended to read as follows:

Sec. 5.010 General municipal elections. A general municipal election shall be held in the city on the 1st Tuesday after the 1st Monday in June 1975, and on the same day every 4 years thereafter, at which time there shall be elected one mayor, one city clerk, councilmen as [hereinbefore provided,] provided in this charter and one city attorney . [and one municipal judge.] All candidates at the general municipal election shall be voted upon by the electors of the city at large.

Sec. 65. Section 5.020 of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 736, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections: Declaration of candidacy.

1. A candidate for any office to be voted for at any general municipal election shall file an affidavit of candidacy with the city clerk not less than 30 nor more

than 40 days before the 1st Tuesday after the 1st Monday in May next preceding such general election.

2. If for any general municipal election there are three or more candidates for the offices of mayor, city clerk [,] or city attorney , [or municipal judge,] or three or more candidates from each ward for the office of councilman, a primary election for any such office shall be held on the 1st Tuesday after the 1st Monday in May preceding such general election.

3. Candidates for the offices of mayor, city clerk [,] and city attorney [and municipal judge] shall be voted upon by the registered voters of the city at large. Candidates for the office of councilman shall be voted upon by the registered voters of the ward to be represented by them.

4. The names of the two candidates for mayor, city clerk [,] and city attorney [and municipal judge] and the names of the two candidates for city councilman from each ward who receive the highest number of votes at the primary election shall be placed on the ballot for the general election.

Sec. 66. Section 1.080 of the charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, at page 458, is hereby amended to read as follows:

Sec. 1.080 Appointive offices.

1. The board of councilmen of the city may appoint the following officers:

- (a) City clerk.
- (b) [Municipal judge.
- (c)] Chief of police.
- [(d)] (c) City engineer.
- [(e)] (d) City attorney.
- [(f)] (e) City auditor.

2. The board of councilmen shall establish such other offices as it may deem necessary.

Sec. 67. Sections 4.010 to 4.040, inclusive, of the charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, at pages 468 and 469, are hereby repealed.

Sec. 68. Section 1.070 of the charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as amended by chapter 56, Statutes of Nevada 1973, is hereby amended to read as follows:

Sec. 1.070 Appointive offices.

1. The city council of the city may appoint the following officers:

- (a) City attorney.

(b) Police chief.

(c) Fire chief.

(d) City clerk.

(e) City manager.

[(f) Municipal judge.]

2. The city council shall establish such other offices as it may deem necessary.

Sec. 69. Sections 4.010 to 4.040, inclusive, of the charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as amended and added in part by chapter 56, Statutes of Nevada 1973, at page 78, are hereby repealed.

Sec. 70. Sections 122, 123, 125 and 126 of the charter of Boulder City, adopted pursuant to chapter 267 of NRS, are hereby repealed.

Sec. 71. 1. On the 1st Monday in January 1979, every civil and criminal action or proceeding then pending in a municipal court in the State of Nevada shall be transferred, by operation of this section, into the justice's court of the township in which such municipal court is located, for further proceedings according to the statutes, rules of court or municipal ordinances applicable to the action or proceeding which were in force immediately prior to the date of transfer, whether or not such statutes, rules of court or ordinances were amended, repealed or superseded by this act.

2. Within 5 days after the 1st Monday in January 1979, each police judge or municipal judge who was in office immediately prior to that date shall deliver all papers and dockets of his court to the justice's court of his township, identifying separately those which relate to actions or proceedings pending. If for any reason a police judge or municipal judge is not available or fails to deliver his records, the appropriate justice of the peace shall take possession of any such records of which he has or acquires knowledge, as soon as possible after the 2nd Monday in January 1979.

3. The running of any period of limitation for the filing of any action or proceeding or the taking of any step in a pending action or proceeding is suspended from the 1st Monday until the 2nd Monday in January 1979.

Sec. 72. The legislative counsel shall, in preparing the 1977 supplement to Nevada Revised Statutes with respect to any section which is not amended by this act or which is further amended by another act, replace any reference to a municipal court, municipal judge or police judge with an appropriate reference to the justice's court or a justice of the peace.

Sec. 73. This act shall become effective on January 1, 1978, for the purpose of nominating and electing justices of the peace, and on the 1st Monday in January 1979, for all other purposes.

SUMMARY--Permits issuance of writ of habeas corpus after plea.
(BDR 3-62)

Fiscal Note: Local Government Impact: No.
State Industrial Insurance Impact: No.

AN ACT relating to the writ of habeas corpus; removing a restriction upon its issuance; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 34.380 is hereby amended to read as follows:

34.380 1. The writ of habeas corpus may be granted by each justice of the supreme court or judges of district courts at any time [; provided:

(a) Each of the justices of the supreme court shall have power to issue writs of habeas corpus to any part of the state, on petition by, or on behalf of any person held in actual custody, and may make such writ returnable before himself or before the supreme court, or before any district court in the state or before any judge of the district court, as provided in section 4 of article VI of the constitution of the State of Nevada.

(b) District judges shall have the power only to issue writs of habeas corpus on petition by, or in behalf of, any person held in actual custody within the judicial district of the district judge to

whom application for the writ shall be made, as provided in section 6 of article VI of the constitution of the State of Nevada.

(c) A] , except that a district court shall not consider any pretrial petition for habeas corpus [:

(1) Based on alleged want of probable cause or otherwise challenging the court's right or jurisdiction to proceed to the trial of a criminal charge if such petition is not filed and brought on for hearing before a plea to the charge is entered by the accused or on the accused's behalf by his counsel or the court.

(2) Based] based on a ground that petitioner could have included as a ground for relief in any prior petition for habeas corpus or other petition for extraordinary relief.

2. When an application is made to a justice of the supreme court for a writ of habeas corpus and the [same shall be] application is entertained by the justice, or the supreme court, and thereafter denied, the person making such application [shall not have the] has no right [, nor the power,] to submit thereafter an application to the district judge of the district wherein such applicant is held in custody, nor to any other district judge in any other judicial district of the state, [which application shall be] premised upon the illegality of the same charge upon which such applicant is held in custody.

3. An applicant who has petitioned the district judge of a judicial district, as provided in this chapter, and whose application for such writ is denied, may appeal to the supreme court from the order and judgment of the district judge or district court refusing to grant the writ or to discharge the applicant, but such appeal shall be taken within 15 days from the day of entry of the order or judgment.

4. The State of Nevada is an interested party in habeas corpus proceedings, and, in the event the district judge or district court to whom or to which an application for a writ of habeas corpus has been made shall grant such writ, then the district attorney of the county in which the application for the writ was made, or the city attorney of a city which is situated in the county in which the application for the writ was made, or the attorney general in behalf of the state, may appeal to the supreme court from the order of the district judge granting the writ and discharging the applicant; but such appeal shall be taken within 15 days from the day of entry of the order.

5. Whenever an appeal is taken from an order of the district court granting or denying a pretrial petition for habeas corpus based on alleged want of probable cause, or otherwise challenging the court's right or jurisdiction to proceed to trial of a criminal charge, the clerk of the district court shall forthwith certify and transmit to

the supreme court of Nevada, as the record on appeal, the original papers on which such petition was heard in the district court and, if either the appellant or respondent demands it, a transcript of any evidentiary proceedings had in the district court. The district court shall require its court reporter to expedite the preparation of such transcript in preference to any request for a transcript in any civil matter. When such appeal is docketed in the supreme court of Nevada, it stands submitted without further briefs or oral argument, unless the supreme court otherwise orders.

6. NRS 1.230 is applicable to the proceedings set forth in this section.

Sec. 2. This act shall become effective upon passage and approval.

SUMMARY--Requires provision of additional law books to certain judicial officers. (BDR 1-63)

Fiscal Note: Local Government Impact: Yes.

State or Industrial Insurance Impact: Effect less than \$2,000.

AN ACT relating to courts of justices; requiring the purchase of certain law books and the free distribution of certain others to additional courts; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 2.345 is hereby amended to read as follows:

2.345 The following persons and agencies are entitled to the supreme court decisions in pamphlet form without charge:

1. Each of the judges of the District Court of the United States, one copy.
2. The supreme court law library, two copies.
3. Each state officer, district judge, district attorney, county clerk , [and] justice of the peace and police judge in this state, one copy.
4. Each public library in this state, one copy.
5. Each newspaper published in this state, and each commercial television and radio station transmitting in this state, one copy upon [their] its annual request therefor.

Sec. 2. Chapter 220 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Each board of county commissioners shall provide a complete set of Nevada Revised Statutes (excluding the annotations thereto and the digest of cases) for each district court or department thereof and for each justice's court or department thereof regularly established in the county, and shall provide corresponding sets of replacement or supplementary pages as issued.

2. The governing body of each city shall similarly provide for each department of its municipal court.

3. If a justice of the peace is ex officio municipal judge, the county and city shall share equally the cost for his court.

Sec. 3. NRS 345.010 is hereby amended to read as follows:

345.010 Upon publication of the Statutes of Nevada, the director of the legislative counsel bureau shall distribute them as follows:

1. To each of the judges of the District Court of the United States for the District of Nevada, one copy.
2. To the supreme court law library, two copies.
3. To each justice of the supreme court, clerk of the supreme court, district judge, county clerk, district attorney , [and] justice of the peace and police judge in this state, one copy.
4. To each public library in this state, one copy.
5. To the Nevada historical society, one copy.
6. Upon request, to any state, county or municipal officer.

Sec. 4. NRS 345.020 is hereby amended to read as follows:

345.020 Upon receipt of copies of each volume of Nevada Reports from the superintendent of the state printing and records division of the department of general services, [as provided in NRS 2.380,] the director of the legislative counsel bureau shall distribute them as follows:

1. To each of the judges of the District Court of the United States for the District of Nevada, one copy.
2. The supreme court law library, two copies.
3. To each justice of the supreme court, clerk of the supreme court, district judge, district attorney, county clerk, [and] justice of the peace and police judge in this state, one copy.
4. To each public library in this state, one copy.
5. To the Nevada historical society, one copy.
6. Upon request, to any state, county or municipal officer.

Sec. 5. NRS 345.040 is hereby amended to read as follows:

345.040 1. The legislative counsel bureau shall stamp or mark all books to be distributed, as provided by law, to supreme court justices, district judges, state and county officers, [and] justices of the peace and police judges as follows: "State property, to be turned over to your successor in office."

2. Each person who receives a book so distributed shall retain such book for the use of his office and deliver all books so

received to his successor in office, who shall give his receipt therefor.

3. The legislative counsel bureau shall keep proper records showing to whom the books were issued and the location of the books so distributed, and shall file the records in its office. Except as provided in NRS 3.160, the legislative counsel bureau shall not supply a missing or second volume other than at the price established pursuant to NRS 345.050.

SUMMARY--Extends consumer protection powers of district attorneys.
(BDR 52-64)

Fiscal Note: Local Government Impact: Yes.
State or Industrial Insurance Impact: No.

AN ACT relating to trade practices; clarifying and extending the power of a district attorney to recover a civil penalty for the violation of certain statutes; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 598.270 is hereby amended to read as follows:

598.270 Any seller who violates any provision of NRS 598.140 to 598.280, inclusive, shall pay a civil penalty not to exceed \$2,500 for each violation [.] which may be recovered by civil action on complaint of the district attorney.

Sec. 2. NRS 598.745 is hereby amended to read as follows:

598.745 Any person who knowingly violates any provision of NRS 598.700 to 598.735, inclusive, is liable, in addition to any other penalty or remedy which may be provided by law, to a civil penalty of \$250 for each offense, which may be recovered by civil action [in a court of competent jurisdiction] on complaint of the commissioner of consumer affairs [.] or the district attorney.

SUMMARY--Strengthens recoupment provisions and conforms powers of county and state public defenders. (BDR 14-65)
Fiscal Note: Local Government Impact: Yes.
State or Industrial Insurance Impact: Yes.

AN ACT relating to the representation of persons; providing a lien for the recoupment of the expenses of defense from the property of a person represented at public expense; extending to the state public defender the authority to represent a child; extending to county public defenders the authority to interview an indigent accused before appointment; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 176.091 is hereby amended to read as follows:

176.091 1. The court may order a convicted defendant to pay [as costs] all or any part of the expenses incurred by the county, city or state in providing such defendant with an attorney [pursuant to the provisions of NRS 171.188.] which are not recovered pursuant to section 3 of this act.

2. The court shall not order a defendant to [pay such costs] make such a payment unless the defendant is or will be able to [pay them.] do so. In determining the amount and method of payment , [of costs,] the court shall take account of the financial resources of the defendant and the nature of the burden that payment [of costs] will impose.

3. A defendant who has been ordered to pay [costs] expenses of his defense and who is not willfully or without good cause in default

in the payment thereof may at any time petition the court which sentenced him for remission of the payment [of costs] or of any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or his immediate family, the court may remit all or part of the amount due [for costs] or modify the method of payment.

4. The money recovered [as costs] shall in each case be paid over to the city, county or public defender's office which bore the expense and was not reimbursed by another governmental agency.

Sec. 2. NRS 176.275 is hereby amended to read as follows:

176.275 A judgment which imposes a fine or [costs] requires a defendant to repay the expenses of his defense constitutes a lien in like manner as a judgment for money rendered in a civil action.

Sec. 3. Chapter 178 of NRS is hereby amended by adding thereto a new section which shall read as follows:

If a defendant for whom an attorney is appointed at public expense on account of indigency has property subject to execution or acquires such property within 1 year after the termination of the attorney's representation, any such property is subject to a lien in favor of the state, county or city which furnished the public defender or otherwise paid for the defense, to the full extent of the expense incurred. This lien may be enforced by civil action.

Sec. 4. NRS 180.060 is hereby amended to read as follows:

180.060 1. The state public defender may, prior to being designated as counsel for [an indigent] that person pursuant to NRS 171.188, interview [such] an indigent person when he has been arrested and confined for a public offense or for questioning on suspicion of having committed a public offense.

2. The state public defender shall, when designated pursuant to NRS 62.085 or 171.188, represent [,] without charge [,] each indigent person [who is under arrest and held for a public offense.] for whom he is appointed.

3. When representing an indigent person, the state public defender shall:

(a) Counsel and defend him [, if he is held in custody and charged with a public offense,] at every stage of the proceedings, including revocation of probation or parole ; [, following his designation by the appropriate judge of the district court, justice of the peace or municipal or police judge;] and

(b) Prosecute any appeals or other remedies before or after conviction that he considers to be in the interests of justice.

4. In cases of post-conviction proceedings and appeals arising in counties in which the office of public defender has been created pursuant to the provisions of chapter 260 of NRS, where the matter is to be presented to the supreme court, the state public defender

shall prepare and present the case and the public defender of the county shall assist and cooperate with the state public defender.

Sec. 5. NRS 260.050 is hereby amended to read as follows:

260.050 1. The public defender may, prior to being designated as counsel for that person pursuant to NRS 171.188, interview an indigent person when he has been arrested and confined for a public offense or for questioning on suspicion of having committed a public offense.

2. The public defender shall, when designated pursuant to NRS 62.085 or 171.188, represent without charge each indigent person for whom he is appointed.

3. When representing an indigent person, the public defender shall:

[1.] (a) Counsel and defend him [, if he is held in custody and charged with a public offense] at every stage of the proceedings, including revocation of probation or parole ; [, following his designation by the appropriate judge of the district court, justice of the peace or municipal or police judge;] and

[2.] (b) Prosecute, subject to the provisions of subsection 4 of NRS 180.060, any appeals or other remedies before or after conviction that he considers to be in the interests of justice.

SUMMARY--Adds judge to First Judicial District. (BDR 1-69)
Fiscal Note: Local Government Impact: Yes.
State Industrial Insurance Impact: No.

AN ACT relating to the district courts; providing an additional district judge for the first judicial district; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 3.010 is hereby amended to read as follows:

3.010 1. The state is hereby divided into nine judicial districts,
as follows:

First judicial district. The county of Storey and Carson City constitute the first judicial district.

Second judicial district. The county of Washoe constitutes the second judicial district.

Third judicial district. The counties of Churchill, Eureka and Lander constitute the third judicial district.

Fourth judicial district. The county of Elko constitutes the fourth judicial district.

Fifth judicial district. The counties of Mineral, Esmeralda and Nye constitute the fifth judicial district.

Sixth judicial district. The counties of Pershing and Humboldt constitute the sixth judicial district.

Seventh judicial district. The counties of White Pine and Lincoln constitute the seventh judicial district.

Eighth judicial district. The county of Clark constitutes the eighth judicial district.

Ninth judicial district. The counties of Douglas and Lyon constitute the ninth judicial district.

2. For each of the judicial districts, except the first, second and eighth judicial districts, there shall be one district judge. For the first judicial district, there shall be two district judges. For the second judicial district there shall be seven district judges. For the eighth judicial district there shall be 11 district judges.

3. District judges shall be elected as provided in NRS 3.050. Whenever a vacancy occurs in the office of any district judge it shall be filled as provided in NRS 3.080.

Sec. 2. This act shall become effective on January 1, 1978, for the purpose of nominating and electing district judges, and on the 1st Monday in January 1979, for all other purposes.

Table 1

MUNICIPAL COURT JUDGES--
WORKWEEK, VACATION AND LEAVE POLICIES

Approximate Length of Workweek

Municipal Judges Classifying
Themselves as Part-Time

	<u>No.</u>
25; 30 hours	2
16 hours	1
6 hours	1

Municipal Judges Classifying
Themselves as Full-Time

	<u>No.</u>
54; 60 hours	2
48; 48 1/2 hours	2
40; 45 hours	3
25 hours	1

Vacation Per Year-- Municipal Judges Classifying Themselves as
Full-Time

	<u>No.</u>
None; 12 days in 17 years	2
3 to 5 days; 1 week	2
2 weeks	2
3 weeks	1
4 weeks	1

Sick Leave Taken in 1975-- Municipal Judges Classifying Themselves
as Full-Time

	<u>No.</u>
2 days	1
3 days	2
6 days	1

Table 2

JUSTICES OF THE PEACE--
WORKWEEK, VACATION AND LEAVE POLICIES

Approximate Length of Workweek

J. P.'s Classifying Themselves
as Part-Time

	<u>No.</u>
On call 24 hours per day	2
35; 40 /; 40 to 50 hours	3
20; 20 to 25; 26 hours	5
10; 12 to 15; 16 hours	3
2; 2 1/2; 5 hours	4

J. P.'s Classifying Themselves
as Full-Time

	<u>No.</u>
On call 7 days	1
60 hours	1
48 /; 50 hours	3
40; 40 / hours	13
25 hours	1

Vacation Per Year-- J. P.'s Classifying Themselves as Full-Time

	<u>No.</u>
6 days in 9 years; 12	
days in 17 years	2
3 to 5 days; 4 days	2
7 days; 1 week; 1 to	
2 weeks	3
2 weeks	3
3 weeks	1
4 weeks; 30 days	2

Sick Leave Taken in 1975-- J. P.'s Classifying Themselves as
Full-Time

	<u>No.</u>
4 days in 9 years	1
1 or 2 days; 2 days	3
3 days	2

Table 3

DISTRICT COURT JUDGES--
WORKWEEK, VACATION AND LEAVE POLICIES

Approximate Length of Workweek

	<u>No. of Judges</u>
65-70 hrs.; 80 hrs.	2
50; 50-60 hrs.	5
45; 48; 40-50 hrs.	6
40; 40 1/2; 42 hrs.	6
35; 35-40; 35-48	3
No response	3

Vacation per Year

	<u>No. of Judges</u>
Up to 4 weeks	11
Up to 3 weeks	5
Up to 2 weeks; 12 days	3
Newly appointed or no response	6

Sick Leave Taken in 1975

	<u>No. of Judges</u>
21 days	1
7; 8; 9 days	3
1-3 days	7
None	11
No response	3

Table 4

SUPREME COURT JUSTICES--
WORKWEEK, VACATION AND LEAVE POLICIES

Approximate Length of Workweek

	<u>No. of Justices</u>
50 hours	2
45 to 50 hours	1
45 hours	2

Vacation Per Year

	<u>No. of Justices</u>
None	1
2 weeks	1
3 weeks	2
4 weeks	1

Sick Leave Taken in 1975

None of the justices reported
sick leave for 1975.

Table 5

PUBLIC DEFENDERS--
WORKWEEK, VACATION AND LEAVE POLICIES

Approximate Length of Workweek

	<u>No.</u>
40-50 hours; 40 hours plus overtime	2
40 hours	1

Vacation Per Year

	<u>No.</u>
2 weeks	1
3 weeks	2

Sick Leave Taken in 1975

	<u>No.</u>
None	1
1 day	1
2 1/2 days	1

Table 6

MUNICIPAL COURT JUDGES--
NUMBER OF RECKLESS DRIVING AND DRIVING UNDER THE INFLUENCE
CASES HEARD OR OTHERWISE DECIDED, BY MUNICIPALITY
July 1, 1974 to June 30, 1975

	<u>Cases Disposed of</u>				
	Before Trial Was Begun By Dismissal	By Plea of Guilty	After Trial Was Begun By Acquittal	By Conviction	Otherwise
Boulder City	2	32	0	7	2
Caliente	na	na	na	na	na
Carlin	0	11	0	1	1
Carson City	na	na	na	na	na
Elko	3	68	0	15	1
Ely	0	47	0	4	0
Fallon ¹	3	68	1	1	0
Gabbs	na	na	na	na	na
Henderson	12	249	37	158	0
Las Vegas	na	na	na	na	na
Lovelock	na	na	na	na	na
North Las Vegas	135	764	6	45	95
Reno	15	381	0	846	0
Sparks	13	311	2	102	0
Wells	1	63	0	10	0
Winnemucca	1	58	0	0	0
Yerington	na	na	na	na	na

na = information not available.

¹ Six months only.

Table 7

MUNICIPAL COURT JUDGES--
NUMBER OF OTHER MOVING TRAFFIC VIOLATION CASES HEARD OR
OTHERWISE DECIDED, BY MUNICIPALITY
July 1, 1974 to June 30, 1975

	<u>Cases Disposed of</u>				
	Before Trial Was Begun By Dismissal	By Plea of Guilty	After Trial Was Begun By Acquittal	By Conviction	Otherwise
Boulder City	10	608	64	242	1
Caliente	na	na	na	na	na
Carlin	0	334	0	0	0
Carson City	na	na	na	na	na
Elko	7	384	1	9	87
Ely	1	228	10	12	0
Fallon ¹	0	148	0	2	3
Gabbs	na	na	na	na	na
Henderson	370	1,839	62	108	0
Las Vegas	na	na	na	na	na
Lovelock	na	na	na	na	na
North Las Vegas	391	1,473	118	223	48
Reno	0	19,345	0	4,120	0
Sparks	151	5,059	12	174	0
Wells	0	679	0	0	0
Winnemucca	0	544	0	0	0
Yerington	na	na	na	na	na

na = information not available.

¹ six months only

Table 8

MUNICIPAL COURT JUDGES--
NUMBER OF NON-MOVING TRAFFIC VIOLATION CASES HEARD
OR OTHERWISE DECIDED, BY MUNICIPALITY
July 1, 1974 to June 30, 1975

	<u>Cases Disposed of</u>				
	Before Trial Was Begun By Dismissal	By Plea of Guilty	After Trial Was Begun By Acquittal	By Conviction	<u>Otherwise</u>
Boulder City	0	3	0	0	0
Caliente	na	na	na	na	na
Carlin	5	53	0	0	11
Carson City	na	na	na	na	na
Elko	5	290	0	2	73
Ely	19	91	4	0	0
Fallon ¹	6	68	1	1	4
Gabbs	na	na	na	na	na
Henderson	75	912	2	2	0
Las Vegas	na	na	na	na	na
Lovelock	na	na	na	na	na
North Las Vegas	223	839	4	26	32
Reno	0	760	0	446	0
Sparks	248	1,044	5	201	0
Wells	0	0	0	0	0
Winnemucca	5	453	0	0	0
Yerington	na	na	na	na	na

na = information not available

¹ six months only

Table 9

MUNICIPAL COURT JUDGES--
NUMBER OF OTHER MISDEMEANOR CASES HEARD
OR OTHERWISE DECIDED, BY MUNICIPALITY
July 1, 1974 to June 30, 1975

	<u>Cases Disposed of</u>				
	Before Trial Was Begun By Dismissal	By Plea of Guilty	After Trial Was Begun By Acquittal	By Conviction	Otherwise
Boulder City	5	74	14	49	13
Caliente	na	na	na	na	na
Carlin	4	27	1	2	72
Carson City	na	na	na	na	na
Elko	3	149	2	7	5
Ely	2	67	9	8	6
Fallon ¹	7	207	1	2	0
Gabbs	na	na	na	na	na
Henderson	112	296	88	85	99
Las Vegas	na	na	na	na	na
Lovelock	na	na	na	na	na
North Las Vegas	417	1,583	57	111	79
Reno	0	333	0	1,236	0
Sparks	248	1,044	5	201	0
Wells	3	41	0	0	0
Winnemucca	0	271	0	0	0
Yerington	na	na	na	na	na

na = information not available

1 six months only

Table 10

MUNICIPAL COURT JUDGES--
ESTIMATED AVERAGE COURT TIME PER CASE,
BY KIND OF CASE

Reckless Driving, Driving Under the Influence Cases

Of 3 judges giving estimates:

1 mentioned 1 hour.
2 mentioned 2 hours.

Other Moving Traffic Violation Cases

Of 3 judges giving estimates:

1 mentioned 30 minutes.
1 mentioned 45 minutes.
1 mentioned 2 hours.

Nonmoving Traffic Violation Cases

Of 3 judges giving estimates:

2 mentioned 30 minutes.
1 mentioned 1 hour.

Other Misdemeanor Cases

Of 3 judges giving estimates:

1 mentioned 1 hour.
1 mentioned 1 1/2 hours.
1 mentioned 2 hours.

Table 11

JUSTICES OF THE PEACE--
NUMBER OF SMALL CLAIMS CASES HEARD, SETTLED OR
OTHERWISE DECIDED, BY COUNTY AND TOWNSHIP
July 1, 1974 to June 30, 1975

<u>County and Township</u>	<u>Cases Disposed of</u>		<u>Time of Disposition Not Indicated</u>
	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	
<u>Carson City</u>			
Carson City	na	na	na
<u>Churchill</u>			
New River	30	226	--
<u>Clark</u>			
Bunkerville	na	na	na
Goodsprings	na	na	na
Henderson	na	na	na
Las Vegas	460	6,545	--
Logan	na	na	na
Moapa	0	0	--
Mesquite	na	na	na
Nelson	26	40	--
North Las Vegas	na	na	na
Overton	na	na	na
Searchlight	13	10	--

Table 11--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Douglas</u>			
East Fork	200	40	--
Tahoe	na	na	--
<u>Elko</u>			
Carlin	21	19	--
East Line	0	0	--
Elko	74	296	--
Jarbridge	na	na	na
Mountain City	na	na	na
Tecoma	na	na	na
Wells	67	3	--
<u>Esmeralda</u>			
Esmeralda	15	0	--
<u>Eureka</u>			
Beowawe	0	8	--
Eureka	na	na	na
<u>Humboldt</u>			
Gold Run	2	2	--
McDermitt	na	na	na
Paradise Valley	0	0	--
Union	6	170	--

Table 11--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Lander</u>			
Argenta	--	--	107
Austin	0	6	--
<u>Lincoln</u>			
Meadow Valley	0	0	--
Pahranagat Valley	0	0	--
<u>Lyon</u>			
Canal	0	31	--
Dayton	17	20	--
Mason Valley	na	na	na
Smith Valley	na	na	na
<u>Mineral</u>			
Hawthorne	na	na	na
Mina	3	3	--
<u>Nye</u>			
Beatty	1	7	--
Gabbs	--	--	36
Pahrump	na	na	na
Tonopah	--	--	27

Table 11--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Pershing</u>			
Lake	5	22	--
<u>Storey</u>			
Virginia City	2	0	--
<u>Washoe</u>			
Gerlach	0	0	--
Reno	729	2,930	--
Sparks	--	--	1,831
Verdi	na	na	na
Wadsworth	0	4	--
<u>White Pine</u>			
Baker	1	0	--
Ely	428	15	--
Lund	0	0	--

na = information not available

Table 12

JUSTICES OF THE PEACE--
NUMBER OF EVICTION CASES HEARD, SETTLED OR
OTHERWISE DECIDED, BY COUNTY AND TOWNSHIP
July 1, 1974 to June 30, 1975

<u>County and Township</u>	<u>Cases Disposed of</u>		<u>Time of Disposition Not Indicated</u>
	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	
<u>Carson City</u>			
Carson City	na	na	na
<u>Churchill</u>			
New River	0	2	--
<u>Clark</u>			
Bunkerville	na	na	na
Goodsprings	na	na	na
Henderson	na	na	na
Las Vegas	464	100	--
Logan	na	na	na
Moapa	0	0	--
Mesquite	na	na	na
Nelson	2	0	--
North Las Vegas	na	na	na
Overton	na	na	na
Searchlight	4	4	--

Table 12--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Douglas</u>			
East Fork	6	1	--
Tahoe	na	na	na
<u>Elko</u>			
Carlin	2	1	--
East Line	0	0	--
Elko	6	8	--
Jarbridge	na	na	na
Mountain City	na	na	na
Tecoma	na	na	na
Wells	5	0	--
<u>Esmeralda</u>			
Esmeralda	0	0	--
<u>Eureka</u>			
Beowawe	1	0	--
Eureka	na	na	na
<u>Humboldt</u>			
Gold Run	0	0	--
McDermitt	na	na	na
Paradise Valley	0	0	--
Union	0	2	--

Table 12--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Lander</u>			
Argenta	--	--	2
Austin	0	0	--
<u>Lincoln</u>			
Meadow Valley	0	0	--
Pahranagat Valley	0	0	--
<u>Lyon</u>			
Canal	1	0	--
Dayton	2	3	--
Mason Valley	na	na	na
Smith Valley	na	na	na
<u>Mineral</u>			
Hawthorne	na	na	na
Mina	1	0	--
<u>Nye</u>			
Beatty	4	2	--
Gabbs	0	0	--
Pahrump	na	na	na
Tonopah	0	0	--

Table 12--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Pershing</u>			
Lake	0	0	--
<u>Storey</u>			
Virginia City	1	0	--
<u>Washoe</u>			
Gerlach	0	0	--
Reno	75	111	--
Sparks	--	--	66
Verdi	na	na	na
Wadsworth	0	0	--
<u>White Pine</u>			
Baker	0	0	--
Ely	11	0	--
Lund	0	0	--

na = information not available

Table 13

JUSTICES OF THE PEACE--
NUMBER OF OTHER CIVIL CASES HEARD, SETTLED OR
OTHERWISE DECIDED, BY COUNTY AND TOWNSHIP
July 1, 1974 to June 30, 1975

<u>County and Township</u>	<u>Cases Disposed of</u>		<u>Time of Disposition Not Indicated</u>
	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	
<u>Carson City</u>			
Carson City	na	na	na
<u>Churchill</u>			
New River	--	--	7
<u>Clark</u>			
Bunkerville	na	na	na
Goodsprings	na	na	na
Henderson	na	na	na
Las Vegas	66	166	--
Logan	na	na	na
Moapa	0	0	--
Mesquite	na	na	na
Nelson	0	2	--
North Las Vegas	na	na	na
Overton	na	na	na
Searchlight	0	0	--

Table 13--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Douglas</u>			
East Fork	4	1	--
Tahoe	na	na	na
<u>Elko</u>			
Carlin	2	2	--
East Line	0	0	--
Elko	38	9	--
Jarbridge	na	na	na
Mountain City	na	na	na
Tecoma	na	na	na
Wells	0	0	--
<u>Esmeralda</u>			
Esmeralda	9	1	--
<u>Eureka</u>			
Beowawe	0	0	--
Eureka	na	na	na
<u>Humboldt</u>			
Gold Run	0	0	--
McDermitt	na	na	na
Paradise Valley	0	0	--
Union	0	6	--

Table 13--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Lander</u>			
Argenta	--	--	7
Austin	0	1	--
<u>Lincoln</u>			
Meadow Valley	0	0	--
Pahrnagat Valley	0	0	--
<u>Lyon</u>			
Canal	0	0	--
Dayton	3	3	--
Mason Valley	na	na	na
Smith Valley	na	na	na
<u>Mineral</u>			
Hawthorne	na	na	na
Mina	0	0	--
<u>Nye</u>			
Beatty	0	0	--
Gabbs	0	0	--
Pahrump	na	na	na
Tonopah	0	0	--

Table 13--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>Pershing</u>			
Lake	0	2	--
<u>Storey</u>			
Virginia City	0	0	--
<u>Washoe</u>			
Gerlach	0	0	--
Reno	226	339	--
Sparks	--	--	24
Verdi	na	na	na
Wadsworth	0	10	--
<u>White Pine</u>			
Baker	--	--	5
Ely	17	0	--
Lund	0	0	--

na = information not available

Table 14

JUSTICES OF THE PEACE--
NUMBER OF RECKLESS DRIVING AND DRIVING UNDER THE INFLUENCE CASES HEARD OR
OTHERWISE DECIDED, BY COUNTY AND TOWNSHIP
July 1, 1974 to June 30, 1975

<u>County and Township</u>	<u>Cases Disposed of</u>				<u>Otherwise</u>
	<u>Before Trial Was Begun</u> <u>By</u> <u>Dismissal</u>	<u>By Plea of</u> <u>Guilty</u>	<u>After Trial Was Begun</u> <u>By</u> <u>Acquittal</u>	<u>By</u> <u>Conviction</u>	
<u>Carson City</u>					
Carson City	na	na	na	na	na
<u>Churchill</u>					
New River	3	99	0	1	4
<u>Clark</u>					
Bunkerville	na	na	na	na	na
Goodsprings	na	na	na	na	na
Henderson	na	na	na	na	na
Las Vegas	128	341	5	143	160
Logan	na	na	na	na	na
Moapa	1	22	0	2	3
Mesquite	na	na	na	na	na
Nelson	0	0	0	0	0
North Las Vegas	na	na	na	na	na
Overton	na	na	na	na	na
Searchlight	0	6	0	0	0

Table 14--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
<u>Douglas</u>	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
East Fork Tahoe	0 na	120 na	2 na	20 na	0 na
<u>Elko</u>					
Carlin	0	17	1	1	1
East Line	0	95	0	0	0
Elko	15	2,060	11	36	0
Jarbridge	na	na	na	na	na
Mountain City	na	na	na	na	na
Tecoma	na	na	na	na	na
Wells	4	84	0	0	42
<u>Esmeralda</u>					
Esmeralda	0	18	0	0	0
<u>Eureka</u>					
Beowawe	0	4	0	0	0
Eureka	na	na	na	na	na
<u>Humboldt</u>					
Gold Run	0	(a)	0	0	0
McDermitt	na	na	na	na	na
Paradise Valley	0	0	0	6	0
Union	0	45	0	0	0

(a) Consolidated with "Other Moving Traffic Violations"

Table 14--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
<u>Lander</u>	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
Argenta	0	30	0	0	0
Austin	0	6	1	0	1
<u>Lincoln</u>					
Meadow Valley	1	11	1	2	0
Pahranagat Valley	1	1	0	6	0
<u>Lyon</u>					
Canal	2	0	0	32	0
Dayton	5	700	0	95	0
Mason Valley	na	na	na	na	na
Smith Valley	na	na	na	na	na
<u>Mineral</u>					
Hawthorne	na	na	na	na	na
Mina	0	0	0	5	0
<u>Nye</u>					
Beatty	4	12	0	0	0
Gabbs	0	0	0	2	0
Pahrump	na	na	na	na	na
Tonopah	0	27	0	0	0

Table 14--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Pershing</u>					
Lake	0	17	0	0	0
<u>Storey</u>					
Virginia City	0	9	0	2	0
<u>Washoe</u>					
Gerlach	0	0	0	0	0
Reno	20	1,170	2	128	0
Sparks	--	--	--	--	134
Verdi	na	na	na	na	na
Wadsworth	0	26	0	0	0
<u>White Pine</u>					
Baker	0	0	0	0	0
Ely	3	36	3	4	0
Lund	0	0	0	3	0

na = information not available

Table 15

JUSTICES OF THE PEACE--
NUMBER OF OTHER MOVING TRAFFIC VIOLATION CASES HEARD OR
OTHERWISE DECIDED, BY COUNTY AND TOWNSHIP
July 1, 1974 to June 30, 1975

<u>County and Township</u>	<u>Cases Disposed of</u>				
	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Otherwise</u>		
	<u>By</u>	<u>By Plea of</u>	<u>By</u>	<u>By</u>	
	<u>Dismissal</u>	<u>Guilty</u>	<u>Acquittal</u>	<u>Conviction</u>	
<u>Carson City</u>					
Carson City	na	na	na	na	na
<u>Churchill</u>					
New River	4	487	--	3	--
<u>Clark</u>					
Bunkerville	na	na	na	na	na
Goodsprings	na	na	na	na	na
Henderson	na	na	na	na	na
Las Vegas	0	73,773	74	892	0
Logan	na	na	na	na	na
Moapa	255	734	0	7	11
Mesquite	na	na	na	na	na
Nelson	0	99	4	34	0
North Las Vegas	na	na	na	na	na
Overton	na	na	na	na	na
Searchlight	0	169	0	0	0

Table 15--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
<u>Douglas</u>	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
East Fork Tahoe	25 na	2,150 na	5 na	60 na	0 na
<u>Elko</u>					
Carlin	7	375	na	na	na
East Line	0	15	0	0	0
Elko	17	76	3	15	0
Jarbridge	na	na	na	na	na
Mountain City	na	na	na	na	na
Tecoma	na	na	na	na	na
Wells	16	3,151	0	2	0
<u>Esmeralda</u>					
Esmeralda	12	551	0	0	0
<u>Eureka</u>					
Beowawe	2	6	0	0	0
Eureka	na	na	na	na	na
<u>Humboldt</u>					
Gold Run	0	15	0	0	0
McDermitt	na	na	na	na	na
Paradise Valley	0	0	0	0	0
Union	2	4,689	0	0	0

Table 15--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
<u>Lander</u>	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
Argenta	0	687	0	0	0
Austin	0	5	0	1	1
<u>Lincoln</u>					
Meadow Valley	0	242	2	6	0
Pahranagat Valley	0	118	2	10	0
<u>Lyon</u>					
Canal	188	0	0	988	0
Dayton	0	0	0	0	0
Mason Valley	na	na	na	na	na
Smith Valley	na	na	na	na	na
<u>Mineral</u>					
Hawthorne	na	na	na	na	na
Mina	0	43	1	14	8
<u>Nye</u>					
Beatty	21	630	1	40	24
Gabbs	0	0	0	31	0
Pahrump	na	na	na	na	na
Tonopah	0	112	7	29	0

Table 15--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Pershing</u>					
Lake	4	1,249	1	4	0
<u>Storey</u>					
Virginia City	11	67	0	8	0
<u>Washoe</u>					
Gerlach	0	1	0	0	0
Reno	420	11,679	0	1,901	0
Sparks	--	--	--	--	1,508
Verdi	na	na	na	na	na
Wadsworth	1	5	0	0	0
<u>White Pine</u>					
Baker	0	0	0	0	0
Ely	0	1,142	86	14	0
Lund	2	0	0	4	0

na = information not available

Table 16

JUSTICES OF THE PEACE--
NUMBER OF NONMOVING TRAFFIC VIOLATION CASES HEARD OR
OTHERWISE DECIDED, BY COUNTY AND TOWNSHIP
July 1, 1974 to June 30, 1975

<u>County and Township</u>	<u>Cases Disposed of</u>				<u>Otherwise</u>
	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Carson City</u>					
Carson City	na	na	na	na	na
<u>Churchill</u>					
New River	9	306	0	0	0
<u>Clark</u>					
Bunkerville	na	na	na	na	na
Goodsprings	na	na	na	na	na
Henderson	na	na	na	na	na
Las Vegas	938	15,819	0	0	0
Logan	na	na	na	na	na
Moapa	39	19	0	0	0
Mesquite	na	na	na	na	na
Nelson	1	11	4	5	0
North Las Vegas	na	na	na	na	na
Overton	na	na	na	na	na
Searchlight	0	6	0	0	0

Table 16--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Douglas</u>					
East Fork	40	10	0	0	0
Tahoe	na	na	na	na	na
<u>Elko</u>					
Carlin	4	25	na	na	na
East Line	0	0	0	0	0
Elko	12	133	0	7	0
Jarbridge	na	na	na	na	na
Mountain City	na	na	na	na	na
Tecoma	na	na	na	na	na
Wells	4	68	0	0	1
<u>Esmeralda</u>					
Esmeralda	0	0	0	0	0
<u>Eureka</u>					
Beowawe	2	6	0	0	0
Eureka	na	na	na	na	na
<u>Humboldt</u>					
Gold Run	0	0	0	0	0
McDermitt	na	na	na	na	na
Paradise Valley	0	0	0	0	0
Union	10	825	0	0	0

Table 16--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
<u>Lander</u>	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
Argenta	0	99	0	0	0
Austin	0	0	0	0	0
<u>Lincoln</u>					
Meadow Valley	0	11	0	0	0
Pahranagat Valley	2	32	4	0	0
<u>Lyon</u>					
Canal	--	--	--	--	--
Dayton	0	0	0	0	0
Mason Valley	na	na	na	na	na
Smith Valley	na	na	na	na	na
<u>Mineral</u>					
Hawthorne	na	na	na	na	na
Mina	5	17	0	8	0
<u>Nye</u>					
Beatty	3	4	0	0	0
Gabbs	0	0	0	0	0
Pahrump	na	na	na	na	na
Tonopah	0	0	7	17	0

Table 16--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Pershing</u>					
Lake	0	0	0	0	0
<u>Storey</u>					
Virginia City	3	49	0	7	0
<u>Washoe</u>					
Gerlach	0	0	0	0	0
Reno	40	492	0	8	0
Sparks	--	--	--	--	1,649
Verdi	na	na	na	na	na
Wadsworth	0	0	0	0	0
<u>White Pine</u>					
Baker	0	0	0	0	0
Ely	2	0	0	0	0
Lund	1	0	0	0	0

na = information not available

Table 17

JUSTICES OF THE PEACE--
NUMBER OF OTHER MISDEMEANOR CASES HEARD OR
OTHERWISE DECIDED, BY COUNTY AND TOWNSHIP
July 1, 1974 to June 30, 1975

<u>County and Township</u>	<u>Cases Disposed of</u>				<u>Otherwise</u>
	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Carson City</u>					
Carson City	na	na	na	na	na
<u>Churchill</u>					
New River	7	18	0	10	14
<u>Clark</u>					
Bunkerville	na	na	na	na	na
Goodsprings	na	na	na	na	na
Henderson	na	na	na	na	na
Las Vegas ¹	492	1,836	918	366	0
Logan	na	na	na	na	na
Moapa	1	1	1	0	0
Mesquite	na	na	na	na	na
Nelson	0	0	0	0	0
North Las Vegas	na	na	na	na	na
Overton	na	na	na	na	na
Searchlight	0	201	0	0	0

Table 17--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Douglas</u>					
East Fork	3	118	5	25	0
Tahoe	na	na	na	na	na
<u>Elko</u>					
Carlin	4	18	1	4	1
East Line	0	25	0	0	0
Elko	37	192	2	4	23
Jarbridge	na	na	na	na	na
Mountain City	na	na	na	na	na
Tecoma	na	na	na	na	na
Wells	57	374	1	0	6
<u>Esmeralda</u>					
Esmeralda	0	0	0	0	0
<u>Eureka</u>					
Beowawe	1	3	0	0	0
Eureka	na	na	na	na	na
<u>Humboldt</u>					
Gold Run	0	2	0	0	0
McDermitt	na	na	na	na	na
Paradise Valley	0	0	0	0	0
Union	3	55	0	0	0

Table 17--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
<u>Lander</u>	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
Argenta ²	3	77	0	0	0
Austin	4	4	0	5	9
<u>Lincoln</u>					
Meadow Valley	4	0	1	27	0
Pahranagat Valley	1	0	0	0	0
<u>Lyon</u>					
Canal	--	--	--	--	--
Dayton	0	10	5	30	0
Mason Valley	na	na	na	na	na
Smith Valley	na	na	na	na	na
<u>Mineral</u>					
Hawthorne	na	na	na	na	na
Mina	1	0	3	7	1
<u>Nye</u>					
Beatty	5	12	4	4	1
Gabbs	0	2	0	0	0
Pahrump	na	na	na	na	na
Tonopah	0	36	8	7	0

Table 17--continued

Cases Disposed of

<u>County and Township</u>	<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		<u>Otherwise</u>
	<u>By Dismissal</u>	<u>By Plea of Guilty</u>	<u>By Acquittal</u>	<u>By Conviction</u>	
<u>Pershing</u>					
Lake	0	13	0	0	0
<u>Storey</u>					
Virginia City	9	77	0	21	0
<u>Washoe</u>					
Gerlach	0	0	0	0	0
Reno	26	234	1	139	0
Sparks	--	--	--	--	175
Verdi	na	na	na	na	na
Wadsworth	0	5	0	0	0
<u>White Pine</u>					
Baker	0	0	0	0	0
Ely	33	20	11	4	6
Lund	0	1	0	1	0

na = information not available

1-Table also shows "felonies" for
Las Vegas township as follows:

Dismissed - 492
Guilty Plea - 207
Acquittal - 450
Conviction - 546

2-Table also shows "felonies" for
Argenta township as follows:

Dismissed - 7
Guilty Plea - 22
Acquittal - 0
Conviction - 0

Table 18

JUSTICES OF THE PEACE--
ESTIMATED AVERAGE COURT TIME PER CASE,
BY KIND OF CASE

Small Claims Cases

Of 14 justices of the peace giving estimates:

4 mentioned 10, 15 or 20 minutes.
4 mentioned 30 minutes.
5 mentioned 1, 1 1/2 or 2 hours.
1 mentioned 4 hours.

Eviction Cases

Of 10 justices of the peace giving estimates:

1 mentioned 7 minutes.
5 mentioned 30 minutes.
3 mentioned 1 or 1 to 2 hours.
1 mentioned 2 to 4 hours.

Other Civil Cases

Of 10 justices of the peace giving estimates:

1 mentioned 10 minutes.
4 mentioned 30 minutes.
4 mentioned 1, 2 or 1 to 3 hours.
1 mentioned 5 hours.

Reckless Driving, Driving Under the Influence Cases

Of 16 justices of the peace giving estimates:

2 mentioned 10 or 15 minutes.
5 mentioned 20 or 30 minutes.
6 mentioned 45 minutes to 1 hour.
2 mentioned 1 1/2 hours
1 mentioned 3 hours.

Table 18--continued

Other Moving Traffic Violation Cases

Of 13 justices of the peace giving estimates:

- 2 mentioned 3, 5 or 3 to 6 minutes.
- 3 mentioned 15 or 20 minutes.
- 4 mentioned 30 minutes.
- 2 mentioned 1 hour.
- 2 mentioned 1 1/2 to 2 hours.

Nonmoving Traffic Violation Cases

Of 10 justices of the peace giving estimates:

- 2 mentioned 3, 5 or 6 minutes.
- 4 mentioned 10 or 15 minutes.
- 3 mentioned 30 minutes.
- 1 mentioned 1 1/2 hours.

Other Misdemeanor Cases

Of 15 justices of the peace giving estimates:

- 3 mentioned 15 minutes.
- 5 mentioned 30 minutes.
- 2 mentioned 1 hour.
- 4 mentioned 1 or 2 hours.
- 1 mentioned 2 to 4 hours.

Table 19

DISTRICT COURTS--
NUMBER OF CASES FILED, BY KIND AND COUNTY
July 1, 1974 to June 30, 1975

Explanation of column headings: (1) Contested divorce; (2) Uncontested divorce; (3) Matters relating to estates of decedents; (4) Adoptions, guardianships, trusts and missing persons; (5) Sanity hearings; (6) Actions under Revised Uniform Reciprocal Enforcement of Support Act; (7) Juvenile cases; (8) Other civil actions; (9) Appeals from justices' courts in civil matters; (10) Criminal cases; (11) Habeas corpus and post-conviction relief; (12) Appeals from justices' and municipal courts in criminal matters.

<u>Counties by Judicial District</u>	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
<u>1st Dist.</u>												
Carson City	48	434	32	34	10	151	68	309	3	72	62	4
Storey Co.	na	na	na	na	na	na	na	na	na	na	na	na
<u>2nd Dist.</u>												
Washoe Co.	(a)	(a)	385	275	101	647	562	3,379 (c)	--	1,245	--	--
<u>3rd Dist.</u>												
Eureka Co.	0	4	10	8	0	3	3	21	0	2	0	0
Lander Co.	1	73	20	5	0	21	50	30	0	16	1	0
<u>4th Dist.</u>												
Elko Co.	2	167	52	27	14	42	88	185	1	107	8	4
<u>5th Dist.</u>												
Esmeralda Co.	na	na	na	na	na	na	na	na	na	na	na	na
Mineral Co.	2	75	15	11	3	14	103	20	0	24 (e)	4	--
Nye Co.	2	59	22	6	5	21	138	21	1	27	4	0

Table 19--Continued

<u>Counties by Judicial District</u>	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
<u>6th Dist.</u>												
Humboldt Co.	6	83	46	18	--	25	17	95	4	82	8	1
Pershing Co.	4	38	22	1	0	34	7	23	0	26	1	0
<u>7th Dist.</u>												
Lincoln Co.	na	na	na	na	na	na	na	na	na	na	na	na
White Pine Co.	na	na	na	na	na	na	na	na	na	na	na	na
<u>8th Dist.</u>												
Clark Co.	(b)	(b)	751	371	340	1,859	1,676	6,273 (d)	--	3,140	--	--
<u>9th Dist.</u>												
Churchill Co.	16	135	34	23	2	54	31	113	1	31	1	7
Douglas Co.	7	171	53	16	0	67	50	161	1	80	9	2
Lyon Co.	9	49	34	24	2	63	39	40	2	31	3	1

na = information not available

- (a) Washoe County reported 3,423 divorces. No division was made between contested and uncontested cases.
 (b) Clark County reported 6,638 divorces. No division was made between contested and uncontested cases.
 (c) Washoe County reported 32 alcoholic cases not counted among the 3,379 other civil actions listed.
 (d) Clark County reported 630 miscellaneous filings in addition to 6,273 other civil actions listed.
 (e) Mineral County reported 2 extradition cases not included among the 24 criminal cases listed.

Table 20

DISTRICT COURTS--
NUMBER OF CONTESTED DIVORCE CASES HEARD,
SETTLED OR OTHERWISE DECIDED BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Counties by Judicial District</u>	<u>Cases Disposed of</u>		
	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	0	--
Lander Co.	1	0	--
<u>4th Dist.</u>			
Elko Co.	0	2	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	4
Pershing Co.	0	0	--
<u>9th Dist.</u>			
Churchill Co.	2	11	--
Douglas Co.	2	1	--
Lyon Co.	2	2	--

Table 21

DISTRICT COURTS--
NUMBER OF UNCONTESTED DIVORCE CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Counties by Judicial District</u>	<u>Cases Disposed of</u>		
	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	3	--
Lander Co.	58	0	--
<u>4th Dist.</u>			
Elko Co.	1	151	--
<u>5th Dist.</u>			
Mineral Co.	75	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	69
Pershing Co.	0	38	--
<u>9th Dist.</u>			
Churchill Co.	1	110	--
Douglas Co.	160	0	--
Lyon Co.	38	0	--

Table 22

DISTRICT COURTS--
NUMBER OF DECEDENTS' ESTATE CASES HEARD,
SETTLED OR OTHERWISE DECIDED BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

Cases Disposed of

<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	9	--
Lander Co.	16	0	--
<u>4th Dist.</u>			
Elko Co.	0	52	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	42
Pershing Co.	0	14	--
<u>9th Dist.</u>			
Churchill Co.	0	36	--
Douglas Co.	11	0	--
Lyon Co.	21	0	--

Table 23

DISTRICT COURTS--
NUMBER OF ADOPTIONS, GUARDIANSHIPS, TRUSTS
AND MISSING PERSONS CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	5	--
Lander Co.	3	0	--
<u>4th Dist.</u>			
Elko Co.	0	27	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	15
Pershing Co.	0	1	--
<u>9th Dist.</u>			
Churchill Co.	0	18	--
Douglas Co.	9	0	--
Lyon Co.	21	0	--

Table 24

DISTRICT COURTS--
NUMBER OF SANITY CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Cases Disposed of</u>			
<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	0	--
Lander Co.	0	0	--
<u>4th Dist.</u>			
Elko Co.	0	14	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	0
Pershing Co.	0	0	--
<u>9th Dist.</u>			
Churchill Co.	0	2	--
Douglas Co.	0	0	--
Lyon Co.	2	0	--

Table 25

DISTRICT COURTS--
NUMBER OF CASES UNDER REVISED UNIFORM RECIPROCAL
ENFORCEMENT OF SUPPORT ACT HEARD,
SETTLED OR OTHERWISE DECIDED BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Cases Disposed of</u>			
<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	2	--
Lander Co.	21	0	--
<u>4th Dist.</u>			
Elko Co.	1	41	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	1	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	23
Pershing Co.	1	9	--
<u>9th Dist.</u>			
Churchill Co.	0	0	--
Douglas Co.	41	0	--
Lyon Co.	40	0	--

Table 26

DISTRICT COURTS--
NUMBER OF JUVENILE CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Counties by Judicial District</u>	<u>Cases Disposed of</u>		
	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	3	--
Lander Co.	50	0	--
<u>4th Dist.</u>			
Elko Co.	0	88	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	14
Pershing Co.	0	7	--
<u>9th Dist.</u>			
Churchill Co.	30	0	--
Douglas Co.	6	0	--
Lyon Co.	17	1	--

Table 27

DISTRICT COURTS--
NUMBER OF OTHER CIVIL CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Cases Disposed of</u>			
<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	11	--
Lander Co.	8	0	--
<u>4th Dist.</u>			
Elko Co.	29	81	--
<u>5th Dist.</u>			
Mineral Co.	2	0	--
Nye Co.	11	1	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	54
Pershing Co.	2	2	--
<u>9th Dist.</u>			
Churchill Co.	21	69	--
Douglas Co.	36	6	--
Lyon Co.	15	3	--

Table 28

DISTRICT COURTS--
NUMBER OF APPEALS FROM JUSTICES'
COURTS IN CIVIL CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

<u>Cases Disposed of</u>			
<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	0	--
Lander Co.	0	0	--
<u>4th Dist.</u>			
Elko Co.	1	0	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	1
Pershing Co.	0	0	--
<u>9th Dist.</u>			
Churchill Co.	0	0	--
Douglas Co.	0	0	--
Lyon Co.	0	0	--

Table 29

DISTRICT COURTS--
NUMBER OF CRIMINAL CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

Cases Disposed of

<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	2	--
Lander Co.	16	0	--
<u>4th Dist.</u>			
Elko Co.	80	2	--
<u>5th Dist.</u>			
Mineral Co.	4	0	--
Nye Co.	6	4	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	77
Pershing Co.	9	15	--
<u>9th Dist.</u>			
Churchill Co.	30	1	--
Douglas Co.	46	6	--
Lyon Co.	24	0	--

Table 30

DISTRICT COURTS--
NUMBER OF HABEAS CORPUS AND POST-CONVICTION
RELIEF CASES HEARD,
SETTLED OR OTHERWISE DECIDED BY COUNTY
July 1, 1974 to JUNE 30,

(Counties not providing information classified
in this manner have been excluded from table)

<u>Cases Disposed of</u>			
<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	0	--
Lander Co.	0	0	--
<u>4th Dist.</u>			
Elko Co.	0	5	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	8
Pershing Co.	0	0	--
<u>9th Dist.</u>			
Churchill Co.	1	0	--
Douglas Co.	7	0	--
Lyon Co.	3	0	--

Table 31

DISTRICT COURTS--
NUMBER OF APPEALS FROM JUSTICES' AND MUNICIPAL
COURTS IN CRIMINAL CASES HEARD,
SETTLED OR OTHERWISE DECIDED, BY COUNTY
July 1, 1974 to June 30, 1975

(Counties not providing information classified
in this manner have been excluded from table)

Cases Disposed of

<u>Counties by Judicial District</u>	<u>Before Trial Was Begun</u>	<u>After Trial Was Begun</u>	<u>Time of Disposition Not Indicated</u>
<u>3rd Dist.</u>			
Eureka Co.	0	0	--
Lander Co.	0	0	--
<u>4th Dist.</u>			
Elko Co.	2	2	--
<u>5th Dist.</u>			
Mineral Co.	0	0	--
Nye Co.	0	0	--
<u>6th Dist.</u>			
Humboldt Co.	--	--	1
Pershing Co.	0	0	--
<u>9th Dist.</u>			
Churchill Co.	7	2	--
Douglas Co.	0	0	--
Lyon Co.	0	0	--

Table 32

SUPREME COURT--
NUMBER OF CASES PENDING, FILED AND DISPOSED OF
January 1, 1975 to December 31, 1975

Cases pending January 1, 1975	334
Cases filed in Calendar Year 1975:	
Civil Appeals	194
Criminal Appeals	241 ¹
Writs	83
Other	<u>35²</u>
	553
Cases on docket during 1975, including reinstated cases	890
Cases disposed of in Calendar Year 1975:	
By Order	363
By Opinion	<u>271³</u>
	634
Cases pending December 31, 1975	256

-
- 1 Includes 110 pre-trial habeas corpus and 43 post conviction relief cases.
 - 2 Includes 22 motions and 13 bar cases.
 - 3 Includes 11 consolidated cases disposed of, but not in separate opinions. Does not include 3 instances in which opinions were filed but cases were not disposed of.

Table 33

SUPREME COURT--
ORIGIN OF APPEALS
JANUARY 1, 1975 to DECEMBER 31, 1975

<u>Judicial District</u>	<u>No. of Civil Appeals</u>	<u>No. of Criminal Appeals</u>	<u>Total</u>
First	20	38	58
Second	44	45	89
Third	3	1	4
Fourth	3	2	5
Fifth	2	6	8
Sixth	4	0	4
Seventh	4	10	14
Eighth	109	135	244
Ninth	<u>5</u>	<u>4</u>	<u>9</u>
	194	241	435

Table 34

SUPREME COURT OPINIONS FILED--
TYPES OF DISPOSITION
January 1, 1975 to December 31, 1975

<u>Type of Disposition</u>	<u>No. of Opinions</u>
Affirmed	168
Affirmed in part, reversed in part	13
Reversed	67
Writs granted	9
Writs denied	1
Other	<u>5</u>
Total	263

Table 35

PUBLIC DEFENDERS--
NUMBER OF DOCKETED FELONY AND GROSS MISDEMEANOR
CASES HANDLED
July 1, 1974 to June 1, 1975

		Cases Disposed of				
		Before Trial Was Begun	By Plea of Guilty to Charge or Lesser Charge	After Trial Was Begun		
	<u>Cases Docketed</u>	<u>By Dismissal</u>		<u>By Acquittal</u>	<u>By Conviction</u>	<u>Other</u>
Clark County	2,292	890	477	9	39	394
Washoe County	806	267	718	0	10	121 ¹
State Public Defender	393	131	166	8	17	12

1 Estimated

Table 36

PUBLIC DEFENDERS--
NUMBER OF DOCKETED MISDEMEANOR CASES HANDLED
July 1, 1974 to June 30, 1975

	<u>Cases Docketed</u>	<u>Cases Disposed of</u>				
		<u>Before Trial Was Begun</u>	<u>By Plea of Guilty to Charge or Lesser Charge</u>	<u>After Trial Was Begun</u>		
		<u>By Dismissal</u>		<u>By Acquittal</u>	<u>By Conviction</u>	<u>Other</u>
Clark County	1,144	337	307	42	95	112
Washoe County	217	--	--	--	--	--
State Public Defender	87	5	17	10	15	10

Table 37

PUBLIC DEFENDERS--
NUMBER OF DOCKETED HABEAS CORPUS AND POST-CONVICTION
RELIEF CASES HANDLED
July 1, 1974 to June 30, 1975

	<u>Cases Docketed</u>	<u>Cases Disposed of</u>
Clark County	143	167
Washoe County	28	59
State Public Defender	39	39

Table 38

PUBLIC DEFENDERS--
NUMBER OF OTHER CRIMINAL CASES DOCKETED AND HANDLED
July 1, 1974 to June 30, 1975

		<u>Cases Disposed of</u>				
		<u>Before Trial Was Begun</u>		<u>After Trial Was Begun</u>		
			By Plea of Guilty to Charge or Lesser Charge	By Acquittal	By Conviction	Other
	<u>Cases Docketed</u>	<u>By Dismissal</u>				
Clark County	893	--	--	--	--	894
Washoe County	209	10	72	--	--	3
State Public Defender	53	--	--	--	--	38

Table 39

PUBLIC DEFENDERS--
NUMBER OF CRIMINAL APPEALS HANDLED
July 1, 1974 to June 30, 1975

	<u>Cases Docketed</u>	<u>Cases Disposed of</u>
Clark County	56	52
Washoe County	11	11
State Public Defender	54	64

Table 40

PUBLIC DEFENDERS--
NUMBER OF JUVENILE CASES HANDLED
July 1, 1974 to June 30, 1975

	<u>Cases Docketed</u>	<u>Cases Disposed of</u>
Clark County	1,628	1,721
Washoe County	881	892
State Public Defender	--	--