

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS
TO SUPREME COURT RULE 84
REGARDING PRO BONO LEGAL
SERVICE ATTORNEYS VOTING FOR
STATE BAR OF NEVADA BOARD OF
GOVERNORS

ADKT 0557

FILED

MAY 11 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER AMENDING SUPREME COURT RULE 84

WHEREAS, on May 7, 2020, the Board of Governors of the State Bar of Nevada filed a petition in this court seeking to amend Supreme Court Rule 84 to allow attorneys certified under Supreme Court Rule 49.1(c) to vote in Board of Governor elections. The petition was submitted for expedited review pursuant to Nevada Rule on the Administrative Docket 4.2 in light of the 2020 Board of Governor elections currently being conducted through May 25, 2020; and

WHEREAS, it appears that expedited review of this matter is warranted; and

WHEREAS, this court has determined that the proposed rule change is warranted to avoid the unintended result of rendering attorneys certified under Supreme Court Rule 49.1(c) ineligible to vote in Board of Governor elections; accordingly,

IT IS HEREBY ORDERED that Supreme Court Rule 84 shall be amended and shall read as set forth in Exhibit A.

IT IS HEREBY FURTHER ORDERED that the rule amendment shall be effective immediately. The clerk of this court shall cause a notice of entry of this order to be published in the official publication

of the State Bar of Nevada. Publication of this order shall be accomplished by the clerk disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the State Bar of Nevada. The certificate of the clerk of this court as to the accomplishment of the above-described publication of notice of entry and dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing rule amendments.

Dated this 14th May, 2020.

Pickering, C.J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Silver, J.
Silver

cc: Paul Matteoni, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
All District Court Judges
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Elko County Bar Association
Douglas County Bar Association
Administrative Office of the Courts

EXHIBIT A

AMENDMENT TO SUPREME COURT RULE 84

Rule 84. Voting for board of governors: Preparation of voting list; mailing, voting, custody and counting of ballots.

1. All active members of the state ~~[bar, who]~~ bar and attorneys certified under Rule 49.1(c), who reside in Nevada and who are in good standing 75 days prior to the annual meeting of the state bar, shall be entitled to vote for governors of the state bar at the next-ensuing election. Each such member must have an official address pursuant to Rule 79 in the county in which that member is entitled to vote, as provided in Rule 82(3). The executive director of the state bar shall immediately prepare a voting list of all active members entitled to vote, such list to be open to inspection by members of the state bar. Copies may be furnished to members upon paying the cost of transcribing or printing the same.

2. Not less than 60 days prior to the annual meeting of the state bar the executive director shall prepare ballots and prepare and distribute the same to each active member of the state bar. The ballots shall contain the names of the nominees for only the local governor or governors. In any case where it is satisfactorily made to appear to the executive director that a member entitled to vote has not for any reason received a ballot, or that such ballot has been lost or destroyed, the executive director shall furnish a new ballot to the member.

3. The executive director shall provide the ballots in such forms as the executive director deems best, in order to facilitate the distribution and counting of the ballots.

4. The member shall cast a vote and the executive director shall provide for the return of ballots, not less than 30 days prior to the date of the annual meeting. The vote shall be cast in the manner provided by the executive director, which allows for the counting and validation of ballots.

5. The executive director shall have the custody of the ballots after they are voted, until the ballots are counted. The executive director shall maintain any paper ballots received in a locked receptacle designated for each district. Any ballot submitted in a format not provided by the executive director will not be counted.

6. The ballots shall be counted within the 30 days prior to the ensuing annual meeting of the state bar, and validated by a neutral third party. The executive director shall certify the result to the president and shall thereafter announce the vote and declare the persons receiving the highest number of votes for the respective offices, or if an uncontested election, provide the names of nominated candidates for governors of the state bar for the ensuing year, commencing upon their taking the oath of office, following the election of officers, at the annual meeting.