

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
DEVELOPMENT OF ALTERNATIVES
TO TRADITIONAL LITIGATION FOR
RESOLVING LEGAL DISPUTES.

ADKT 126

FILED

OCT 25 2001

JANE T. M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER AMENDING RULE 24 OF THE
NEVADA RULES OF ARBITRATION

It appearing to the court that the amendment of Nevada Arbitration Rule 24 is warranted;

It is ORDERED that Rule 24, as specifically set forth in Exhibit A, annexed hereto, and contained in Subpart A of Part V of the Nevada Supreme Court Rules, entitled "Nevada Arbitration Rules," be and hereby is amended as set forth in Exhibit A;

IT IS FURTHER ORDERED that this amendment shall become effective sixty days from the date of this order. 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

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EXHIBIT A
AMENDMENT TO RULE 24
OF THE NEVADA ARBITRATION RULES

Rule 24. Fees for arbitrators.

(A) Arbitrators appointed to hear cases pursuant to these rules are entitled to be compensated at the rate of ~~[seventy-five dollars (\$75)]~~ one hundred dollars (\$100) per hour to a maximum of ~~[six hundred fifty dollars (\$650)]~~ one thousand dollars (\$1,000) per case unless otherwise authorized by the arbitration commissioner for good cause shown. If required by the arbitrator, each party to the arbitration shall submit, within thirty (30) days of request by the arbitrator, a sum of up to two hundred fifty dollars (\$250) as an advance toward the arbitrator's fees and costs. If a party fails to pay the required advance, the party may be subject to sanctions, including an award dismissing the complaint or entry of the non-complying party's default.

(B) To recover any fee, the arbitrator must submit to the parties an itemized bill reflecting the time spent on a case within fifteen (15) days of the date that the arbitrator serves an award in an action; within fifteen (15) days of notice of removal of the case from the program by resolution or exemption; or within fifteen (15) days of notice of change of arbitrator, whichever date is earliest. If the parties have paid an advance toward the arbitrator's fees and costs, the arbitrator shall indicate this advance on the itemized bill and shall return to the parties any portion of the advance that is over the amount on the itemized bill.

(C) The fee of the arbitrator must be paid equally by the parties to the arbitration, and must be paid to the arbitrator within ten (10) days of the date that the arbitrator serves the bill reflecting the fee. If any party fails to pay that party's portion of the arbitrator's fee within the time prescribed in this subdivision, the district court shall, after giving appropriate notice and opportunity to be heard, enter a judgment and a writ of execution against the delinquent party for the amount owed by that party to the arbitrator, plus any costs and attorney's fees incurred by the arbitrator in the collection of the fee. If one of the parties to the arbitration is an unrepresented indigent person who was exempted pursuant to NRS 12.015 from paying a filing fee, the arbitrator may not collect a fee from any party to the arbitration.

(D) All disputes regarding the fee of the arbitrator must be filed with the arbitration commissioner within five (5) days of the date that the arbitrator serves the bill reflecting the arbitrator's fee, and resolved by the arbitration commissioner.

(E) For purposes of this rule, if several parties are represented by one attorney, they shall be considered one party.