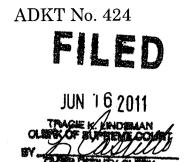
# IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ADOPTION OF A UNIFORM RULE GOVERNING TELEPHONIC AND AUDIOVISUAL PARTICIPATION IN CIVIL, CRIMINAL AND FAMILY LAW CASES IN ALL COURTS IN THE STATE OF NEVADA.



## ORDER SCHEDULING PUBLIC HEARING

On June 7, 2011, the Hon. Mark Gibbons, Associate Justice of the Nevada Supreme Court, filed a petitions seeking amendment of Part IX of the Supreme Court Rules governing telephonic and audiovisual participation in the Nevada courts. This court has proposed an amendment to Rule 4, attached as Exhibit A.

The Nevada Supreme Court will conduct a public hearing on the proposed rule amendment on Thursday, July 7, 2011, at 3:00 p.m. in the Nevada Supreme Court Courtroom at 201 South Carson Street, Carson City, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, Regional Justice Center, 200 Lewis Street, 17<sup>th</sup> Floor, Las Vegas, Nevada.

The bench, bar and the public are invited to submit written comments on this matter. An original and 8 copies of written comments are to be submitted to: Tracie K. Lindeman, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 by 5:00 p.m., July 1, 2011. Persons interested in participating in the hearing must notify the Clerk no later than July 1, 2011.

> Hearing date: July 7, 2011, at 3:00 p.m. Nevada Supreme Court Courtroom 201 South Carson Street Carson City, Nevada 89701

11-17886

SUPREME COURT OF NEVADA Comment deadline: July 1, 2011, at 5:00 p.m.

Supreme Court Clerk's Office 201 South Carson Street Carson City, Nevada 89701

DATED this  $\frac{16}{10}$  day of June, 2011.

Darylas ..... C.J.

cc:

All District Judges All Justices of the Peace Cam Ferenbach, President, State Bar of Nevada Kimberly Farmer, Executive Director, State Bar of Nevada **Clark County Bar Association** Washoe County Bar Association All City Attorneys All District Attorneys Legal Aid Center of Southern Nevada Nevada Legal Services Volunteer Attorneys for Rural Nevadans Washoe Legal Services State Public Defender Washoe County Public Defender Clark County Public Defender Washoe County Alternative Public Defender Clark County Special Public Defender Federal Public Defender Administrative Office of the Courts

SUPREME COURT OF NEVADA

### Exhibit A

### AMENDMENT OF PART IX OF THE SUPREME COURT RULES

## PART IX. RULES GOVERNING APPEARANCE BY AUDIOVISUAL TRANSMISSION EQUIPMENT

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#### Rule 4. Appearance by audiovisual transmission equipment.

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3. Court discretion to modify rule.

(a) <u>Applicable cases.</u> In exercising its discretion under this provision, the court should consider the general policy favoring audiovisual transmission equipment appearances in civil and criminal cases.

(b) **Court may require personal appearances.** Upon a showing of good cause either by motion of a party or upon its own motion, the court may require a party <u>or witness</u> to appear in person at a hearing, conference, or proceeding listed in subsection 1 if the court determines on a hearing-by-hearing basis that a personal appearance would materially assist in the determination of the proceedings or in the effective management or resolution of the particular case.

(c) Court may permit appearances by audiovisual transmission equipment. The court may permit a party <u>or witness</u> to appear by audiovisual transmission equipment at a hearing, conference, or proceeding listed in subsection 2 if the court determines that a audiovisual transmission equipment appearance is appropriate.

4. Need for personal appearance. If, at any time during a hearing, conference, or proceeding conducted by audiovisual transmission equipment, the court determines that a personal appearance is necessary, the court may continue the matter and require a personal appearance <u>by a party or witness</u>.

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