



SPARKS JUSTICE COURT
WASHOE COUNTY
STATE OF NEVADA

KEVIN HIGGINS
JUSTICE OF THE PEACE
DEPARTMENT TWO

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September 28, 2009

FILED

SEP 30 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

The Honorable Mark Gibbons
Nevada Supreme Court
201 South Carson Street
Carson City, Nevada 89701-4702

Re: ADKT 424 Amendment to Telephonic Appearance Rules

Dear Justice Gibbons:

On behalf of the Nevada Judges of Limited Jurisdiction I am writing in support of the proposed amendment to Rule 3 of the Rules Governing Appearance By Communication Equipment, Part IX of the Nevada Supreme Court Rules.

The adoption of Part IX to the Nevada Supreme Court Rules last year was an important step in recognizing that certain court hearings can readily be conducted over the telephone or by video thereby significantly reducing litigation costs and improving access to the courts. Our association represents judges who sit on everything from large urban courts to small rural courts which may be located significant distances from the nearest District Court and even further from the nearest urban center. The need to spend most of the day traveling for a short court appearance imposes significant costs on the litigants and could even limit the number of counsel who are willing to take a case knowing how much travel may be involved. Part IX now allows many of these appearances to be made from an attorney's desk without the need to even leave her office.

The proposed amendment to Part IX will allow those same benefits to accrue to criminals cases, as long as the parties stipulate to the remote appearance and comply with the other requirements of the rule. By requiring a stipulation in criminal cases any questions of a constitutional nature are avoided and all of the accused's rights are respected. The Rule still requires the parties and their counsel to appear at trial and other significant hearings but would allow remote appearance for status conferences, motion and discovery hearings.

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TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
CHIEF DEPUTY CLERK

09-31760

All courts and litigants will benefit from the proposed amendment and we urge the Court to approve its adoption.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'KH', written in a cursive style.

Kevin Higgins
Justice of the Peace
President-Elect, Nevada Judges of Limited Jurisdiction

cc: Board of Directors
Nevada Judges of Limited Jurisdiction