

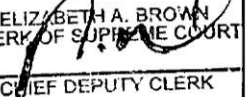
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: AMENDMENTS TO NEVADA
RULES OF PROFESSIONAL
CONDUCT

ADKT 0445

FILED

DEC 13 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

*ORDER AMENDING NEVADA RULE OF
PROFESSIONAL CONDUCT 1.8(e)*

WHEREAS, on August 3, 2023, Elissa F. Cadish, Associate Chief Justice, and Kristina Pickering, Associate Justice, of the Nevada Supreme Court filed a petition seeking to amend Nevada Rules of Professional Conduct (NRPC) 1.8(e), which prohibits lawyers from providing financial support to clients in connection with pending or contemplated litigation, with limited exceptions; and

WHEREAS, this court solicited public comment on the petition and a public hearing was held in this matter on October 2, 2023; and

WHEREAS, this court concludes that amendment of NRPC 1.8(e) is warranted; accordingly,

IT IS HEREBY ORDERED that the proposed amendments to NRPC 1.8(e) shall be adopted and shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that the amendments to NRPC 1.8(e) shall be effective 30 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 dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing rule amendments.

Dated this 13th day of December, 2023.

Stiglich, C.J.
Stiglich

Cadish, J.
Cadish

Pickering, J.
Pickering

Herndon, J.
Herndon

Lee, J.
Lee

Parraguirre, J.
Parraguirre

Bell, J.
Bell

cc: Julie Cavanaugh-Bill, President, State Bar of Nevada
Kimberly K. Farmer, Executive Director, State Bar of Nevada
All District Court Judges
Legal Aid Center of Southern Nevada
Nevada Legal Services
Southern Nevada Senior Law Project
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Douglas County Bar Association
Elko County Bar Association
Administrative Office of the Courts

EXHIBIT A

AMENDMENT TO NEVADA RULE OF PROFESSIONAL CONDUCT 1.8(e)

Rule 1.8. Conflict of Interest: Current Clients: Specific Rules.

(e) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that:

(1) A lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; and

(2) A lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client; and[.]

(3) A lawyer representing an indigent client pro bono; a lawyer representing an indigent client pro bono through a nonprofit legal services provider, public interest organization, or law school clinical or pro bono program; and a lawyer representing an indigent client in a criminal matter through a public defender's office or by appointment may provide or facilitate modest gifts and humanitarian aid to a client or to those undertaking the care and support of the client. The following exceptions apply:

(i) The lawyer may not seek or accept reimbursement from the client, a relative of the client, or anyone affiliated with the client for such gifts or aid; and

(ii) Gifts or aid that would compromise the lawyer's independent professional judgment are prohibited.
