

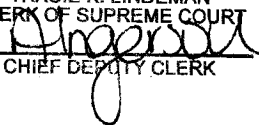
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS  
TO SCR 49.9 REGARDING LIMITED  
PRACTICE OF CERTAIN PUBLIC  
DEFENDERS IN RURAL COUNTIES.

ADKT 0497

**FILED**

JUL 31 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

***ORDER AMENDING NEVADA SUPREME COURT RULE 49.9***

WHEREAS, the Board of Governors of the State Bar of Nevada filed a petition with this court seeking to amend Nevada Supreme Court Rule 49.9 (SCR 49.9) regarding the limited practice for certain public defenders in rural counties; and


WHEREAS, it appears to this court that amendment of SCR 49.9 is warranted, accordingly,


IT IS HEREBY ORDERED that SCR 49.9 shall be amended and shall read as set forth in Exhibit A.


IT IS FURTHER ORDERED that this rule 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

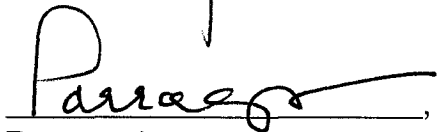
order shall be conclusive evidence of the adoption and publication of the foregoing rule amendment.

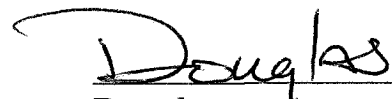
Dated this 31<sup>st</sup> day of July, 2014.

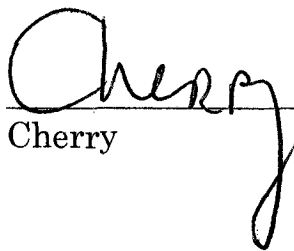
  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

cc: All District Court Judges  
Elana Graham, President, State Bar of Nevada  
Kimberly Farmer, Executive Director, State Bar of Nevada  
Dean J. Gould, Director of Admissions, State Bar of Nevada  
Administrative Office of the Courts

## AMENDMENTS TO SUPREME COURT RULE 49.9

### **Rule 49.9. Limited practice for certain deputy state public defenders in rural counties.**

**1. Requirements.** Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who becomes employed by the State Public Defender or the county equivalent of such an office to practice in a county whose population is [~~less~~] fewer than 100,000 persons, may be certified to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

**2. Application.** Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar and shall be accompanied by:

(a) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction and is a member in good standing in such jurisdiction.

(b) A statement signed by the State Public Defender or the county equivalent public defender that such attorney is currently employed by [~~the Office of the State Public Defender~~] that office and will be practicing in a county whose population is [~~less~~] fewer than 100,000 persons.

(c) A non-refundable application fee of \$150.

**3. Termination; renewal of certification.** Certification to practice under this rule shall terminate whenever such attorney ceases to be employed by the Office of the State Public Defender or the county equivalent of such an office or ceases to practice in a county whose population is [~~less~~] fewer than 100,000. When an attorney certified under this rule ceases to be

so employed, a statement to that effect shall be filed immediately with the admissions director of the state bar by the State Public Defender or the county equivalent public defender. In no event shall certification to practice under this rule remain in effect longer than 2 years. An attorney certified by the state bar to practice under this rule who otherwise remains eligible to practice must annually renew the certification in accordance with Rule 49.12.

**4. Limited practice.** An attorney certified to practice under this rule shall perform no legal services within the State of Nevada except for the Office of the State Public Defender or the county equivalent of such an office in counties whose population is [~~less~~] fewer than 100,000 persons and shall only practice under the supervision of an attorney in the Office of the State Public Defender or the county equivalent of such an office who is an active, resident member of the State Bar of Nevada. All pleadings signed by an attorney certified to practice under this rule shall bear the name and office address, and be signed on behalf of, the attorney in the Office of the State Public Defender or the county equivalent of such an office responsible for supervising such attorney, who shall be deemed the attorney of record in the cases wherein such pleadings are filed.

**5. Discipline; bar membership; continuing legal education.** Attorneys certified to practice under this rule do not qualify for active membership in the State Bar of Nevada, but may be disciplined or suspended from practice in the manner now or hereafter provided by rule for discipline or suspension of attorneys generally. Pending final disposition of any such matter the court or the state bar may suspend any right to practice that is granted hereunder, without notice or hearing. During the time an attorney is certified under this rule, the attorney shall comply with the same

requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

**6. Applicability.** This rule is applicable notwithstanding any rule of the court governing admission to the bar which:

(a) Is in effect on the effective date of this rule; or

(b) Becomes effective thereafter, except any such rule specifically referring to this rule.