

IN THE SUPREME COURT OF THE STATE OF NEVADA

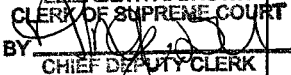
IN THE MATTER OF AMENDMENTS
TO SUPREME COURT RULE 120
REGARDING COST AWARDS IN
DISCIPLINARY MATTERS.

ADKT No. 516

FILED

FEB 28 2017

*ORDER SCHEDULING PUBLIC HEARING
AND REQUESTING PUBLIC COMMENT*

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

On September 14, 2016, the Board of Governors of the State Bar of Nevada filed a petition to amend Supreme Court Rule 120 regarding costs in disciplinary proceedings. The proposed amendments are attached as Exhibit A.


The Nevada Supreme Court will conduct a public hearing on the petition on Tuesday, April 4, 2017, at 2:30 p.m. in the Nevada Supreme Court Courtroom, 408 East Clark Avenue, Las Vegas, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, 201 South Carson Street, Carson City, Nevada.

Further, this court invites written comment from the bench, bar, and public regarding the proposed amendments. An original and 8 copies of written comments are to be submitted to: Elizabeth A. Brown, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 by 5:00 p.m., March 28, 2017. Comments must be submitted in hard-copy format. Comments submitted electronically will not be docketed. Persons interested in participating in the hearing must notify the Clerk no later than March 28, 2017.

Hearing date: April 4, 2017, at 2:30 p.m.
Supreme Court Courtroom
408 East Clark Avenue
Las Vegas, Nevada 89101

Comment deadline: March 28, 2017, at 5:00 p.m.
Supreme Court Clerk's Office
201 South Carson Street
Carson City, Nevada 89701

DATED this 28th day of February, 2017


_____, C.J.
Cherry

cc: Bryan K. Scott, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
All District Court Judges
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Administrative Office of the Courts

EXHIBIT A

1. An attorney subjected to discipline or seeking reinstatement under these rules *shall* be assessed the costs, in full or in part, of the proceeding, including, but not limited to, reporter's fees, investigation fees, ~~bar counsel and staff's salaries,~~ witness expenses, service costs, publication costs, and any other fees or costs deemed reasonable by the panel and allocable to the proceeding.
2. If, for any reason, bar counsel is disqualified or has a conflict of interest, the board of governors shall appoint an attorney, ad hoc, to act in the place of bar counsel.
3. *In addition to any costs assessed as provided for herein, an attorney subjected to discipline shall be assessed administrative costs allocable to the proceeding, but in any case, shall not be less than the following amounts:*

<i>Reprimand:</i>	<i>\$1,500</i>
<i>Suspension:</i>	<i>\$2,500</i>
<i>Disbarment:</i>	<i>\$3,000</i>

4. *A final assessment for costs and fees shall have the force and effect of a civil judgment against the disciplined attorney and shall be subject to all legally-available post-judgment enforcement remedies and procedure.*
5. *In addition, in any matter where any attorney is required to apply for reinstatement, administrative costs shall be assessed in any amount not less than \$2,500 and the attorney shall also be required to pay all costs previously assessed but not yet paid prior to the processing of the application for reinstatement.*
6. *Failure to pay within sixty (60) days from receipt of billing statement from the Office of Bar Counsel or Order from the Supreme Court, shall result in further disciplinary action. An additional fee of \$250 for every thirty (30) days payment is delinquent. Failure to pay shall result in administrative suspension.*