

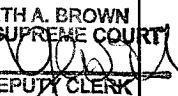
IN THE SUPREME COURT OF THE STATE OF NEVADA

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

ADKT 516

FILED

MAY 05 2017

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

ORDER AMENDING SUPREME COURT RULE 120

WHEREAS, 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; and

WHEREAS, this court solicited public comment on the petition and a public hearing was held in this matter on April 4, 2017; and

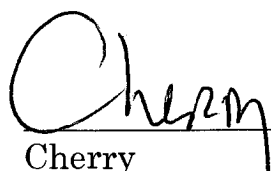
IT IS HEREBY ORDERED that Supreme Court Rule 120 shall be amended and shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that the court approves the amendments proposed in the September 14, 2016, petition, except the provisions imposing additional discipline for failing to pay costs within 60 days of receipt of a billing statement from the Office of Bar Counsel or Order from the Supreme Court, imposing an additional fee of \$250 for every 30 days payment is delinquent, and imposing an administrative suspension for failing to pay assessed costs. Therefore, Supreme Court Rule 120 shall be amended and shall read as set forth in Exhibit A.


IT IS FURTHER ORDERED that this amendment to the Supreme Court Rules 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.

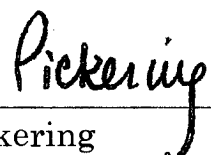
Publication of this order shall be accomplished by the clerk disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the State Bar of Nevada. The certificate of the clerk of this 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 rules.

Dated this 5th day of May, 2017.

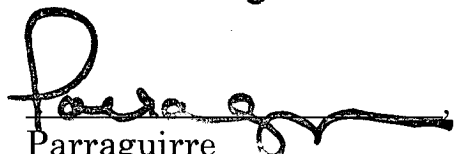

Cherry, C.J.
Cherry

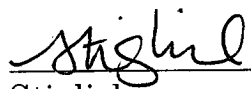

Douglas, J.
Douglas


Gibbons, J.
Gibbons


Pickering, J.
Pickering


Hardesty, J.
Hardesty


Parraguirre, J.
Parraguirre


Stiglich, J.
Stiglich

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

AMENDMENT TO SUPREME COURT RULE 120

Rule 120. Costs; bar counsel conflict or disqualification.

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:

Reprimand: \$1,500

Suspension: \$2,500

Disbarment: \$3,000

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.