

FILED

JAN 24 2020

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

FILED

JAN 16 2020

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

IN THE MATTER OF THE  
AMENDMENT OF FIRST JUDICIAL  
DISTRICT COURT RULE  
3.7 AND 3.8

ADKT 0543

PETITION TO AMEND FJDCR 3.7 AND 3.8

JAMES T. RUSSELL and JAMES E. WILSON JR., Judges of the First  
Judicial District Court of the State of Nevada, Carson City and Storey County,  
petition the Supreme Court to amend First Judicial District Court Rules 3.7 and  
3.8 as set forth in the attached draft.

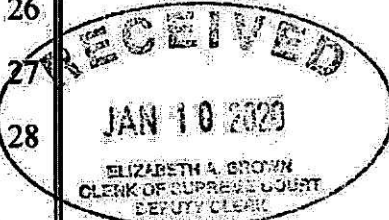
These changes are requested to improve procedural efficiency, consistency,  
and certainty in the First Judicial District of Nevada.

Respectfully submitted,

January 7<sup>th</sup>, 2020.

*James T. Russell*  
James T. Russell  
District Judge  
First Judicial District Court of Nevada

*James E. Wilson Jr.*  
James E. Wilson Jr.  
District Judge  
First Judicial District Court of Nevada



20-03467  
AD-02105

## DRAFT OF THE AMENDED RULES

### 3.7 Motions and stipulations.

...

(d) *Required Content.* Motions and oppositions must include a memorandum of points and authorities with appropriate headings and in the following order:

- (1) For motions other than those excepted under subsection (b) of this rule, contain a certification of counsel or of the self-represented party that he has conferred with opposing counsel or self-represented party and made a good faith effort to resolve the issue(s) raised in the motion;
- (2) State of the issue(s) the party wants decided;
- (3) State the facts upon which the motion is based, and include admissible evidence to support the alleged facts;
- (4) Cite the legal authority that supports the party's position;
- (5) Include analysis of the facts and law and the party's argument; and
- (6) Specify the requested relief.

(e) *Failure to Comply.* **[Failure to comply with these requirements by the moving party may result in the court declining to consider the motion until the parties have conferred and be treated as consent to deny the motion; failure to comply with these requirements by the opposing party may be treated as consent to grant the motion.]** The failure of the moving party to file a memorandum of points and authorities in support of the motion shall constitute a consent to the denial of the motion.

3.8 **Time for filing opposition.** Unless otherwise ordered by the court, **[opposition points and authorities must be filed and served**

1 **within 14 days after service of the motion.] an opposing party will**  
2 **have 14 days after service of the motion to file a memorandum of points**  
3 **and authorities in opposition to the motion. The failure of an opposing**  
4 **party to timely file a memorandum of points and authorities shall**  
5 **constitute a consent to the denial of the motion.**  
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