


1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2
3 FILED

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

ADKT 543

JAN 30 2020

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

7
8 AMENDED PETITION TO AMEND FJDCR 3.7 AND 3.8

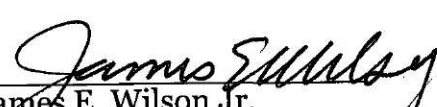
9 JAMES T. RUSSELL and JAMES E. WILSON JR., Judges of the First
10 Judicial District Court of the State of Nevada, Carson City and Storey County,
11 petition the Supreme Court to amend First Judicial District Court Rules 3.7 and
12 3.8 as set forth in the attached draft.

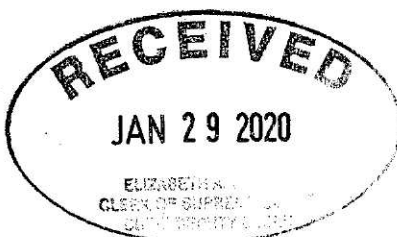
13 These changes are requested to improve procedural efficiency, consistency,
14 and certainty in the First Judicial District of Nevada.

15 Respectfully submitted,

16 January 27, 2020.

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19 James T. Russell
20 District Judge
First Judicial District Court of Nevada

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23 James E. Wilson Jr.
24 District Judge
25 First Judicial District Court of Nevada
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20-04116

1 **DRAFT OF THE AMENDED RULES**

2 **3.7 Motions and stipulations.**

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

7 (1) For motions other than those excepted under subsection (b) of this
8 rule, contain a certification of counsel or of the self-represented party
9 that he has conferred with opposing counsel or self-represented party
10 and made a good faith effort to resolve the issue(s) raised in the
11 motion;

12 (2) State of the issue(s) the party wants decided;

13 (3) State the facts upon which the motion is based, and include
14 admissible evidence to support the alleged facts;

15 (4) Cite the legal authority that supports the party's position;

16 (5) Include analysis of the facts and law and the party's argument; and

17 (6) Specify the requested relief.

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

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27 **3.8 Time for filing opposition.** Unless otherwise ordered by the court,
28 **[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 granting of the motion.**
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