

IN THE SUPREME COURT OF THE STATE OF NEVADA

**FILED**

**AUG 27 2019**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

IN THE MATTER OF THE PROPOSED )  
AMENDMENT OF THE RULES OF )  
PRACTICE FOR THE NINTH )  
JUDICIAL DISTRICT COURT )

ADKT. NO. 0546

PETITION TO AMEND RULES 5, 5.1, 6, 7, 15, 25 AND 29 OF THE RULES OF  
PRACTICE FOR THE NINTH JUDICIAL DISTRICT COURT

Pursuant to the Nevada Rules on the Administrative Docket and Nevada Revised Statutes  
Section 38.258(1), Petitioner, NINTH JUDICIAL DISTRICT COURT, by and through the  
Honorable Nathan Tod Young and Honorable Thomas W. Gregory, hereby petitions this  
Honorable Court for its order amending the Ninth Judicial District Court Rules by amending the  
language of NJDCR 5, 5.1, 7, 15, 25, 29, as attached in Exhibit A.

It is the opinion of the judges of the Ninth Judicial District Court that such amendments  
are necessary to conform local court rules with statewide rules of procedure and for the orderly  
administration of justice.

Therefore, petitioners respectfully request this Honorable Court enter its order granting this  
petition and amending the Ninth Judicial District Court Rules as herein stated.

Respectfully submitted this 23 day of August, 2019.

**RECEIVED**  
AUG 27 2019  
Nathan Tod Young  
District Court Judge  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

*[Signature]*  
Thomas W. Gregory  
District Court Judge

19-35818

## **EXHIBIT A**

### **NJDCR 5 Setting of civil matters**

(a) All contested matters other than domestic relations matters shall be set on dates agreeable to counsel and the court. After the case conference meeting and after the filing of the Case Conference Report (NRCP 16.1(b),(c)), the Court Clerk shall issue an NRCP 16.1 Setting Order.”

Changed to

(a) “All contested matters other than domestic relations matters shall be set on dates agreeable to counsel and the court. After the case conference meeting and after the filing of the Case Conference Report (NRCP 16.1 (c)), the Court Clerk shall issue an NRCP 16.1 Setting Order.”

### **NJDCR 5.1 Setting of domestic relations matters.**

(a) In all divorce, annulment, separate maintenance actions, paternity actions, or custody matters between unmarried parties where paternity is established, the plaintiff shall file proof of service of the summons and complaint within five (5) days after service is effected. After the proof of service is filed, the court shall issue and serve a case management setting order pursuant to NRCP 16.2(b).

Changed to

“In all divorce, annulment, separate maintenance actions, paternity actions, or custody matters between unmarried parties where paternity is established, the plaintiff shall file proof of service of the summons and complaint within five (5) days after service is effected. After the proof of service is filed, the court shall issue and serve a case management setting order pursuant to 16.2(j) of 16.205(j) for custody and paternity matters between unmarried parties.

### **NJDCR 6 Motions; Procedures for supporting and deciding.**

(a) All motions and similar moving documents, unless made during a hearing or trial, shall be in writing, and if requiring testimony, shall comply with the notice requirements of NRCP 6(d).

Changed to

(a) All motions and similar moving documents, unless made during a hearing or trial, shall be in writing, and if requiring testimony, shall comply with the notice requirements of NRCP 6(c).

### **NJDCR 7 Affidavits on motions.**

(c) Affidavits must contain only factual, evidentiary matter, conform with the requirements of NRCP 56(e), and avoid mere general conclusions or arguments.

Changed to

Affidavits must contain only factual, evidentiary matter, conform with the requirements of NCRP 56(c), and avoid mere general conclusions or arguments.

**NJDCR 15 Pretrial conferences.**

(c) The Judge may, for good cause, continue the pretrial conference for a limited period of time pursuant to NRCF 16.1(a).

Changed to

The Judge may, for good cause, continue the pretrial conference for a limited period of time pursuant to NRCF 16.1(b)(2)(B).

**NJDCR 25 Financial declarations.**

(a) ... At the commencement of an action, each party shall then file his or her Financial Disclosure Form as provided in NRCF 16.2. This court shall accept the Financial Disclosure Form required by the Nevada Supreme Court pursuant to NRCF 16.2 or the Financial Disclosure Form approved by this court.

Changed to

(a) ... At the commencement of an action, each party shall then file his or her Financial Disclosure Form as provided in NRCF 16.2 or NRCF 16.205 for paternity or custody actions between unmarried parties. This court shall accept the Financial Disclosure Form required by the Nevada Supreme Court pursuant to NRCF 16.2 or 16.205, as applicable;

(b) ... The filing of an incomplete, inaccurate, or untimely Financial Disclosure Form may be construed as an admission that the motion is not meritorious and as cause for its denial, and may result in any appropriate sanction available pursuant to NRCF 16.2(a)(1)

Changed to

(b) ... The filing of an incomplete, inaccurate, or untimely Financial Disclosure Form may be construed as an admission that the motion is not meritorious and as cause for its denial, and may result in any appropriate sanction available pursuant to NRCF 16.2(g)-(h) or NRCF 16.205(g)-(h), as applicable;

(c) ... The filing of an incomplete, inaccurate, or untimely Financial Disclosure Form may be construed as an admission that the opposing party has the resources to pay the amount requested by the moving party and that the moving party's motion is meritorious, and may result in any appropriate sanction available pursuant to NRCF 16.2(a)(1).

Changed to

( c ) ... The filing of an incomplete, inaccurate, or untimely Financial Disclosure Form may be construed as an admission that the opposing party has the resources to pay the amount requested by the moving party and that the moving party's motion is meritorious, and may result in any appropriate sanction available pursuant to NRCP 16.2(g)-(h) or NRCP 16.205(g)-(h), as applicable.

**NJDCR 29 Post-trial matters in domestic relations cases.**

(b) Initial disclosures. A party must, without awaiting a discovery request, provide to the other parties the initial disclosures required by NRCP 16.2(a)(2) within ten (10) judicial days after service of the opposition to the motion.

Changed to

(b) Initial disclosures. A party must, without awaiting a discovery request, provide to the other parties the initial disclosures required by NRCP 16.2(d) or NRCP 16.205(d) (for paternity or custody matters between unmarried parties) within ten (10) judicial days after service of the opposition to the motion;

(d) Prehearing disclosures. In addition to the other prehearing disclosures required by this rule, a party must provide to the other parties the disclosures required by NRCP 16.2(a)(4) regarding the evidence that the party may present at the evidentiary hearing, including impeachment and rebuttal evidence.

Changed to

(d) In addition to the other prehearing disclosures required by this rule, a party must provide to the other parties the disclosures required by NRCP 16.2(e) or 16.205(e) (for paternity or custody matters between unmarried parties) regarding the evidence that the party may present at the evidentiary hearing, including impeachment and rebuttal evidence.