IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE REPEAL OF THE RULES OF PRACTICE FOR THE FOURTH JUDICIAL DISTRICT COURT AND APPROVAL OF PROPOSED RULES OF PRACTICE FOR THE FOURTH JUDICIAL DISTRICT COURT

ADKT 0550

FILED

APR 02 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER REPEALING AND REPLACING RULES OF PRACTICE FOR THE FOURTH JUDICIAL DISTRICT

WHEREAS, on November 15, 2019, Nancy Porter, District Judge, and Alvin R. Kacin, District Judge, Fourth Judicial District Court filed a petition in this court seeking to repeal the Rules of Practice for the Fourth Judicial District Court and replace them with proposed new rules. The petition was filed in response to this court's February 28, 2019, order directing district courts to submit to this court any amendments to the local rules that are necessary to conform their rules to the NRCP, NRAP, and NEFCR that were amended by this court's order on December 31, 2018, and effective on March 1, 2019; accordingly,

IT IS HEREBY ORDERED that the Rules of Practice for the Fourth Judicial District Court are repealed and that the proposed new rules shall be adopted and shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that the amendments to the Rules of Practice for the Fourth Judicial District Court 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 rule amendments.

Dated this 2ND day of April, 2020.

Pickering, C.J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Silver, J.
Silver

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

EXHIBIT A

RULES OF PRACTICE FOR THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

Rule 1. Applicability and Citation of Rules.

1. These rules shall be known as the Fourth Judicial District Court Rules. They shall be cited as 4JDCR.

2. In order to allow flexibility in the administration of the government of the Fourth Judicial District Court, there shall be issued a "Standing Order Supplementing Local Rules" signed by both district judges. Said Standing Order shall be posted in the Elko County Clerk's Office and on the Elko County Clerk's website. The Elko County Clerk shall provide a copy of said Standing Order to any person without charge.

3. The district judge who will try the case, sua sponte or upon motion of a party, may determine that a case should not follow regular procedure, and the judge may then make such orders as deemed advisable for all subsequent proceedings.

4. The District Court Rules promulgated by the Nevada Supreme Court shall be applied whenever not inconsistent with these local rules. To the extent that these local rules are inconsistent with the District Court Rules promulgated by the Nevada Supreme Court, these local rules shall be applied instead of the District Court Rules pursuant to DCR 5.

Rule 2. Organization of the Court.

1. The Fourth Judicial District consists of two departments: Department 1 and Department 2.

2. Unless previously disqualified, the judges of this court may interchange with each other. In the event of the absence or the incapacity of a judge, or when agreed by the judges, a judge may temporarily act in the department of the other judge without specific assignment of the actions. Cases heard by a judge pursuant to this paragraph remain in the department originally assigned and are not automatically transferred.

3. All actions will be assigned to a department by the Elko County Clerk pursuant to instructions contained in the Standing Order.

4. Cases will not be reassigned except upon good cause and order signed by both judges, or upon disqualification or as otherwise provided by rule or law.

5. It is the intent of the district judges, to the extent reasonably possible, to implement a "One Family/One Judge" assignment of domestic relations cases. The Elko County Clerk and attorneys practicing within the Fourth Judicial District Court shall bring to the attention of the district judges cases that might be transferred between departments in order to accomplish this goal.

6. The position of court master is established and an appointment shall be made pursuant to the Standing Order. Either district judge may appoint a person other than the person appointed in the Standing Order to act as temporary court master in any individual case. The court master shall perform the duties of the following positions:

a. Child support master, pursuant to NRS 3.405, 125B.200(1), 425.381, and Chapter 130;

b. Paternity master, pursuant to NRS 3.405;

c. Domestic relations referee, pursuant to NRS 125.005;

d. Juvenile master, pursuant to NRS 62A.180 and 432B.050 et seq.;

e. Minor guardianship master, pursuant to NRS 159A.0615; and

f. Such other duties as assigned to the court master in either the Standing Order or by separate order of the assigned judge in an individual case.

Rule 3. Case Management Conference.

1. In any civil action, the party filing a case conference report shall serve a copy on chambers.

2. In any action governed by NRCP 16.2 or 16.205, the answering party shall serve a copy of the answer on chambers.

3. The plaintiff or party initiating the action shall be responsible for scheduling the case management conference.

Rule 4. Mediation.

1. Upon motion or by agreement of the parties, or upon the court's own initiative if appropriate, the court may order the parties to engage in mediation.

2. "Mediation" means meeting with a mediator selected by the parties, or if the parties are unable to agree upon a mediator, assigned by the judge, for the purpose of reaching an early settlement of the entire lawsuit or as many legal and factual issues as possible.

3. The court may draw upon members of the Elko County Bar to serve as mediators in appropriate cases, taking into consideration any prior relationships between the parties or their counsel and prospective mediators that might impact the mediator's effectiveness, as well as the experience of each prospective mediator in light of the nature and complexity of the case. Mediators may perform mediation services on a no-fee basis or at a reduced rate in appropriate cases in fulfillment of the member's RPC 6.1

responsibilities. In no event will a mediator be required by the court to perform mediation services for less than the mediator's normal hourly rate for legal services.

4. In the event the parties agree to mediation or the court orders the parties to engage in mediation, unless the mediator agrees to perform mediation services on a pro bono basis, each party shall pay its pro rata share of the mediator's fees.

5. In the event mediation is ordered as a result of a motion by a party or parties, the moving party or parties shall pay the entire amount of the mediator's fees unless otherwise agreed by the nonmoving party or parties or as ordered by the court.

Rule 5. Settlement Judges.

1. Upon motion or agreement of the parties, or upon the court's own initiative, the court may request that the Administrative Office of the Courts appoint a senior judge or a judge from another jurisdiction to act as a settlement judge, pursuant to SCR 10.

2. The settlement judge shall then have authority to negotiate a settlement of the matter. Unless the Fourth Judicial District Court orders otherwise, the settlement judge shall have authority only to enter orders pursuant to the stipulations of the parties.

Rule 6. Law and Motion Calendar.

1. One day each week there shall be a "Law and Motion Calendar" for each department for matters that require less than 15 minutes or as otherwise allowed by the court. The Law and Motion Calendar shall be set pursuant to the Standing Order.

2. Any party who wishes to have a matter placed on the Law and Motion Calendar shall have all necessary documents filed before the matter may be set on the Law and Motion Calendar and no later than noon on that judicial day immediately preceding the law and motion day. All criminal informations, memorandum of plea agreements, and motions for civil commitment or diversion shall be filed no later than noon on that judicial day immediately preceding the law and motion day. If the appropriate documents are not timely filed, the assigned judge may decline to hear the case as scheduled and schedule it for another day.

3. Any person or attorney desiring to hear a matter at some time other than on the Law and Motion Calendar is instructed to contact the judicial administrator for that department for such calendaring arrangements. The court retains discretion whether to schedule a hearing.

4. The Law and Motion Calendar for civil matters shall principally consist of uncontested motions, probates, guardianships, and divorces. Probate matters that are expected to be uncontested can be set on the uncontested calendar; attorneys need not appear for hearings on the uncontested probate calendar.

5. The Law and Motion Calendar for criminal matters shall principally consist of arraignments, sentencings, and probation violations.

Rule 7. Child Custody and Visitation Cases.

1. Whenever a party files a pleading requesting the physical or legal custody of a child, or visitation with a child, or files a response to such a pleading, said party shall strictly comply in all cases (including, without limitation, joint petitions for summary divorce, cases resolved by the default of

a party or by stipulation of the parties) with the requirements of NRS 125A.385—"Information to be submitted to court."

2. Child custody decisions pursuant to the submission of a "Joint Petition" (see summary proceedings for divorce pursuant to NRS Chapter 125) and child custody decisions submitted to the court pursuant to the written stipulation of all parties may be decided without a trial or a hearing unless otherwise required by the court, but shall comply with the requirements concerning proposed orders (*see* Rule 12). All other child custody decisions, including cases wherein a parent has been defaulted or has failed to respond to a motion or petition, may not be decided without a trial or a hearing and the presence of any nondefaulted parent.

3. The court may order, sua sponte or upon motion, mediation and/or custody evaluation in any child custody or visitation dispute. The judge assigned to a contested child custody case retains discretion to set the matter for trial/hearing without the completion of court-ordered mediation and/or custody evaluation.

4. Mediation and custody evaluation definitions and requirements:

a. Mediation:

(1) "Mediation" in child custody and/or visitation matters means the confidential meeting of the parties, with or without counsel, together with a court-designated mediator, for the purpose of reaching a "mediation agreement" that provides a child custody and visitation schedule in the best interest of the minor child(ren).

(2) The mediator cannot be subpoenaed to testify concerning matters discussed during child custody mediation without prior court approval.

(3) No mediation agreement may be submitted to the court or considered binding until all counsel of record have approved said agreement.

(4) A mediator may be any suitable person as determined by the judge assigned to try the case.

b. Custody Evaluation:

(1) "Custody evaluation" means an investigation for the purposes of making a recommendation to the court concerning a custody/visitation schedule that will be in the best interest of the minor child(ren).

(2) Custody evaluators shall interview those persons with knowledge helpful to making a recommendation. All custody evaluations shall include, at a minimum, an interview with the parties and the child(ren) or a statement as to why such interviews were not conducted.

(3) All custody evaluation recommendations must describe the facts relied upon and the reasoning that resulted in the recommendation.

(4) All custody evaluation recommendations must be provided to the court and filed under seal. Prior to the filing of said recommendation, the custody evaluator cannot be deposed or otherwise subjected to discovery without prior court approval. Prior to the filing of the recommendation, the custody evaluator may periodically appear in court at status hearings to update the court on the progress of the evaluation. The custody evaluator shall be treated as a court-appointed expert. Any party calling the custody evaluator as a witness shall be, absent further order of the court, responsible for all fees incurred by the custody evaluator in responding to the subpoena.

5. The duties of the mediator and the custody evaluator shall not be served by the same person in the same case.

6. All settlement agreements (including agreements resulting from mediation) and all custody evaluation recommendations must contain a

custody/visitation schedule written in terms easily understood so as to be enforceable. Said custody/visitation schedule shall specifically describe:

a. The dates and times of custody and/or visitation;

b. The places where the transfers of custody shall take place; and

c. The transportation responsibilities of the parties concerning said transfers.

7. Absent good cause, any party who refuses to accept the terms and conditions contained within the custody evaluation recommendation and who is subsequently unable to obtain relief substantially better than is contained in the recommendation of the custody evaluator may be required to pay reasonable attorney fees and costs incurred by the other party following the filing of said recommendation.

Rule 8. Setting of Cases for Trial/Mandatory Pretrial Settlement Conference.

1. Criminal trials shall be set in a manner prescribed by the judge assigned to try the case. All parties shall strictly comply with all pretrial orders entered by the court.

2. No civil case may be calendared for trial unless:

a. There has been a case management conference as required by Rule 3; or

b. The court has waived a case management conference.

3. Before a civil case proceeds to trial, the assigned judge may require the parties to complete or have calendared a pretrial settlement conference, which shall be conducted not less than 45 days before trial, unless otherwise agreed by the parties and approved by the court. "Pretrial settlement conference" means meeting with an active or retired district judge, or other

suitable person assigned by the trial judge, for the purpose of reaching a settlement of the entire lawsuit or as many legal and factual issues as possible. The pretrial settlement conference shall not be conducted before the judge assigned to try the case unless otherwise agreed by the parties and approved by the judge; such an agreement by the parties shall constitute a waiver of any claim that the judge has an actual or implied bias solely by reason of the judge's participation in the pretrial settlement conference. Unless excused by the judge, all parties and their attorneys shall be present together with any other person necessary for settlement authority.

4. Any party wishing to set a civil matter for trial shall first attempt to reach a stipulated calendar date for said trial by contacting all parties together with the judicial administrator for that department. Conference calls between the parties and the judicial administrator are encouraged. If the parties can agree to a date for the trial with the judicial administrator, the judicial administrator shall then prepare an order for the court's signature indicating the date the matter is to be tried, the number of days set aside for the trial of said matter, whether the matter will be tried by a jury or by the court, whether a court reporter has been requested and by whom, and the date and time of the pretrial settlement conference. The presence of a court reporter/recorder is mandatory for all civil jury trials. The pretrial order shall include appropriate deadlines.

5. If a party cannot obtain a stipulated calendar date for setting a civil trial by contacting all the parties and the judicial assistant, that party may file a motion to set trial and have the matter heard on the court's Law and Motion Civil Calendar upon giving 10 days' written notice to all parties. Said motion shall contain the following paragraph:

"The undersigned has attempted to reach a stipulated trial date in this matter with the other parties and the judicial administrator and has been unable to do so. Therefore, notice is hereby given that the undersigned shall appear before this court on the law and motion calendar at _____ p.m./a.m. on Monday, the _____ day of _____, 20____, for the purpose of having this court set this matter for trial."

At the hearing on the motion to set trial, the court will hear arguments concerning the setting of the matter for trial and will then enter the appropriate order. At said hearing the court shall consider awarding attorney fees and costs against any party who has failed to cooperate in calendaring the matter for trial without a hearing or who has unreasonably refused to set a timely date for trial.

6. If a case has been set for trial and is subsequently settled, counsel for the parties (or the parties if they are self-represented) shall immediately notify the judicial administrator. Failure to immediately notify the court of a final settlement, or the misrepresentation that there has been a final settlement when there has not, is a significant violation of these rules and subjects an attorney and/or a party to sanctions. A trial will not be removed from the court's calendar until the parties have filed a stipulated agreement resolving the case and that agreement has been approved by the judge.

Rule 9. Capital Punishment Cases.

1. Pursuant to SCR 250, the court shall maintain a list of counsel qualified for appointment as lead or assisting defense counsel in capital cases. All appointments of defense counsel in criminal cases that could potentially result in the death penalty shall be made from said list by the justice of the

peace only after conferring with, and gaining the approval of, the district judge that will be assigned to try the case.

2. Attorneys who desire to become capital-punishment qualified as lead counsel may apply to the district judges by verified petition. Said petition shall:

a. Specifically describe the criminal jury trials that petitioning counsel has tried through a jury verdict within the past 3 years, including the names of the district judges before whom the cases were tried;

b. Indicate that the petitioning attorney has acted as lead or assisting counsel in at least one capital punishment case, having completed both the guilt and penalty phase;

c. Indicate how said petitioning attorney has met the minimum requirements of SCR 250; and

d. Include the written recommendation of at least one Nevada district judge who presided over a capital punishment case tried through a jury verdict and penalty phase by said attorney.

3. Attorneys who desire to become capital-punishment qualified as assisting counsel may apply to the district judges by verified petition. Said petition shall specifically describe the criminal jury trials that petitioning counsel has tried through a jury verdict within the past 3 years, including the names of the district judges before whom the cases were tried.

4. In order to qualify local counsel for the capital punishment list, whenever the justice court is required to appoint counsel from outside Elko County for a death penalty case, one local counsel shall also be appointed to assist lead counsel whenever possible. Appointments of assisting counsel shall be made from said list by the justice of the peace only after conferring with, and gaining the approval of, the district judge assigned to try the case.

Rule 10. Regular Motion Practice.

1. This rule applies to all motions other than those that may be heard ex parte.

2. Any affidavit or declaration filed pursuant to this rule shall comply with NRCP 56(c)(4). Affidavits or declarations substantially defective in this respect may be stricken, wholly or in part.

The Motion:

3. All motions shall contain a brief statement particularly describing the relief sought by the moving party. The motion shall be filed simultaneously with:

a. A memorandum of points and legal authorities supporting the motion.

b. A notice indicating:

(1) Whether an evidentiary hearing or oral argument on the motion is requested; and

(2) An estimate of the time needed for any such hearing or oral argument.

c. Proof of service of the motion and its supporting documents, including points and authorities and any affidavits/declarations.

4. All motions shall be accompanied by affidavits or declarations supporting assertions of fact in the motion and its accompanying points and authorities. A moving party's assertions of fact that are not supported by an affidavit or declaration complying with this rule may be disregarded by the court. A copy of any document or other material (other than legal authorities) to which an affiant or declarant refers shall be attached to his or her affidavit or declaration as an exhibit. A reference not so supported may be disregarded by the court.

5. Points and authorities shall, at a minimum, identify the assertions of fact and legal authorities supporting each argument in the motion. The failure to identify both the assertions of fact and legal authorities supporting an argument in the motion may be construed by the court as a waiver of that argument.

The Response:

6. Within 10 days of service of the motion, all parties against whom it is filed shall serve and file a written response to the motion. A failure to timely serve and file a written response may be construed by the court as an admission that the motion is meritorious and a consent to it being granted. Parties may enlarge the time for filing a response without an order of the court by filing a written stipulation stating the time by which a response must be filed.

7. All responses shall contain a brief statement describing the extent to which the relief sought by the moving party is contested. The response shall be filed simultaneously with:

a. A memorandum of points and legal authorities supporting the response.

b. A notice indicating:

(1) Whether an evidentiary hearing or oral argument on the motion is requested; and

(2) An estimate of the time needed for any such hearing or oral argument.

c. Proof of service of the response and its supporting documents, including points and authorities and affidavits/declarations.

8. All responses shall be accompanied by affidavits or declarations supporting assertions of fact in the response and its accompanying points and

authorities. A responding party's assertions of fact that are not supported by an affidavit or declaration complying with this rule may be disregarded by the court. A copy of any document or other material (other than legal authorities) to which an affiant or declarant refers shall be attached to his or her affidavit or declaration as an exhibit. A reference not so supported may be disregarded by the court.

9. Points and authorities shall, at a minimum, identify the assertions of fact and legal authorities supporting each argument in the response. The failure to identify both the assertions of fact and legal authorities supporting an argument in the response may be construed by the court as a waiver of that argument.

The Reply:

10. The moving party may serve and file reply points and authorities within 5 days of service of the response to the motion.

Judicial Review:

11. The parties shall presume the presiding judge is unaware of a motion's existence absent the filing and service of a "Request for Review." A party may file a Request for Review when a motion is at issue. When a party has filed a Request for Review, the court clerk shall bring the file containing the motion for which review has been requested to the presiding judge's chambers.

12. A motion is "at issue" when:

a. The parties file a stipulation that the motion is ready to be set for a hearing or oral argument or decided without a hearing or argument;

b. 10 days pass after service of the motion without a response being filed; or

c. 5 days pass after service of the response to the motion.

13. When a judge is presented with a motion that is at issue, he or she may rule on the motion or have it set for hearing or oral argument. If the judge orders a hearing or oral argument, the judicial assistant shall determine a date the motion may be heard or argued and whether any party wants a court reporter for the proceeding.

14. A party filing a Request for Review shall forthwith cause a copy of it to be served upon the presiding judge's staff at his or her chambers by hand, United States mail, or email.

Rule 11. Ex Parte Motions and Orders.

1. After the commencement of an action to which NRCP 16.2 or 16.205 applies, orders mutually restraining the parties from domestic violence as defined by NRS 33.018, the interference with each party's employment, the alienation of a child's affection for a parent, and the dissipation or waste of any property at issue in the action will be freely granted upon the filing of ex parte motions for such relief. Other than ex parte motions for orders to show cause for contempt and other ex parte motions expressly permitted by Nevada law, all other ex parte motions are disfavored, and moving parties are encouraged to comply with Rule 10 of these rules and, as applicable, NRCP 65.

2. No ex parte motion shall be presented to a judge unless it has been filed by the court clerk.

3. A party filing an ex parte motion shall simultaneously submit a proposed order disposing of the motion by leaving the proposed order with the clerk. No proposed ex parte order shall be on an attorney's personalized pleading paper.

4. No ex parte order that concerns child custody shall be entered unless a hearing to determine whether ex parte relief should remain is set within 10 days of the order's entry.

5. When an ex parte order is entered, the party moving for it shall forthwith serve upon every other party copies of the order and the ex parte motion upon which it was based as ordered by the court.

Rule 12. Submission of Proposed Orders Following Regular Motions Practice.

1. This rule applies to all proposed orders submitted after regular motions practice.

2. Proposed orders shall not be on an attorney's personalized pleading paper.

After Filing of Request for Review Pursuant to Rule 10(11):

3. A party filing a Request for Review pursuant to Rule 10(11) shall simultaneously submit a proposed order disposing of the motion by leaving the proposed order with the clerk.

After Hearing or Oral Argument:

4. A proposed order disposing of the motion shall be drafted by the party selected by the judge who presided over any hearing or oral argument on the motion. The drafting party shall provide other parties to the hearing with copies of the proposed order within the time set by the presiding judge.

5. If the other parties to the hearing do not provide the drafting party written objections to the proposed order within 5 days of service of a copy of the proposed order, the proposed order shall be deemed acceptable to all parties and shall then be submitted to the presiding judge. If the other parties provide the drafting party written objections to the proposed order within 5 days of

service of a copy of the proposed order, the proposed order and the written objections shall then be submitted to the presiding judge.

6. Proposed orders shall reflect the oral orders of the presiding judge at the hearing or argument. All parties and their attorneys, if any, shall make a good faith effort to agree upon the form of any proposed orders.

Rule 13. Appearances, Changes, Withdrawals, or Removals of Attorneys.

1. Appearance: When an attorney has appeared as attorney of record for a party, that party shall not thereafter file papers or appear in court on the party's own behalf in the case without the consent of the presiding judge.

2. Changes, Withdrawals, Removals: An attorney may be changed, allowed to withdraw, or removed in accordance with SCR 46, 47, 48, and this rule:

a. Change of Attorney Before Final Judgment or Determination: To be effective, any change of attorney before final judgment or determination of a case must be approved by written order of the presiding judge. When an attorney seeks to replace the attorney of record:

(1) The written consent of the replacement attorney, attorney of record, and the client shall be filed; and

(2) A proposed order approving the change of attorneys shall be provided to the presiding judge's chambers.

The filing of consent to a change of attorney shall constitute the replacement attorney's acceptance of any scheduling and pretrial orders issued and then in effect, including scheduling and pretrial orders issued pursuant to NRCP 16.

b. Withdrawal of Attorney Before Judgment or Final Determination: An attorney of record may not withdraw before judgment or final determination of

a case unless the attorney files a motion to withdraw that is granted by order of the presiding judge. A copy of a motion to withdraw shall be served upon the attorney's client at the client's last known mailing and email addresses. An attorney filing a motion to withdraw shall comply with Rule 10 of these rules and shall support the motion with an affidavit or declaration containing the last known telephone numbers of the attorney's client and the last known mailing and email addresses at which the client may be served with copies of pleadings and other papers.

c. Withdrawal of Attorney After Judgment or Final Determination: When an attorney of record wishes to withdraw after judgment or final determination of a case, the attorney shall file a "Notice of Withdrawal" and serve a copy of the notice upon all unrepresented parties and attorneys for represented parties who have appeared in the action. Withdrawing attorneys shall include in the Notice of Withdrawal the last known address at which his or her client may be served with notice of further proceedings in the case. Failure to include the information required by this paragraph nullifies ab initio the Notice of Withdrawal, and the attorney shall remain the attorney of record for all purposes.

d. Removal of Attorney by Client Before Judgment or Final Determination: An attorney may not be removed before judgment or final determination of a case unless:

(1) The client is one for whom self-representation is permitted under Nevada law; and

(2) The client files a motion for removal of the attorney that is granted by order of the presiding judge.

A copy of a motion for removal of attorney shall be served upon the attorney of record at his or her last known mailing and email addresses. A client filing a

motion for removal of attorney shall comply with Rule 10 of these rules and shall support any such motion with an affidavit or declaration containing the telephone numbers of the client and the mailing and email addresses at which the client may be served with copies of pleadings and other papers.

3. Except as permitted by this rule, any papers filed in proper person by a represented party shall be disregarded by the court. Similarly, any papers filed by an attorney other than an attorney of record shall be disregarded by the court.

Rule 14. Filing of Faxed Documents.

1. No document may be filed by direct faxing to the court clerk's office.

2. A faxed document, including any signature page, may be filed with the court clerk in lieu of the original if:

a. It is presented on plain paper;

b. It is clearly legible in its entirety; and

c. It otherwise complies with all applicable requirements, including the payment of any filing fees.

3. The party filing a faxed document shall preserve the original until the completion of the case.

Rule 15. Application of Rules.

To the extent waiver is consistent with the Nevada Rules of Civil Procedure and any other applicable law, the court may waive compliance with these rules for good cause.

Rule 16. Sanctions for Noncompliance.

If any party or attorney fails to comply with these rules, the Nevada Rules of Civil Procedure, the Nevada District Court Rules, the Nevada Supreme Court Rules, a court order, or any other applicable law, the court may, after notice and an opportunity to be heard, make such orders and impose such sanctions as are just, including, but without limitation:

1. Holding the disobedient party or attorney in contempt of court.

2. Continuing a hearing or trial until the disobedient party or attorney has complied with the requirements at issue and requiring the disobedient party to pay the opposing party's expenses incurred to prepare for and attend the hearing or trial, including, but not limited to, reasonable attorney fees and witness fees.

3. Refusing to allow the disobedient party or attorney to support or oppose designated claims or defenses, or prohibiting the admission of designated evidence.

4. Setting the case for immediate trial.

5. Making an order striking pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing the action or proceeding or any part thereof, or rendering a judgment by default against the disobedient party.