ADKT 556

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

IN THE ADMINISTRATIVE MATTER REGARDING TEMPORARY PROCEDURES IN CIVIL CASES	**ADMINISTRATIVE ORDER # 21-01**

FILED
JAN 05 2021
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
CHIEF DEPUTY CLERK

WHEREAS, Governor's Emergency Directive 035 (Revised) places restrictions on gatherings to minimize interpersonal contact to slow the rate at which the COVID-19 virus is spread; and

WHEREAS, Section 8 of Governor's Emergency Directive 035 (Revised) restricts public gatherings to no more than 50 persons in areas with a listed fire code capacity of less than 200 persons, if done in a manner consistent with social distancing guidelines promulgated by the Nevada Department of Business and Industry; and

WHEREAS, court proceedings fall within the definition of a public gathering and the Las Vegas Justice Court courtrooms have listed fire code capacities of less than 200 persons; and

WHEREAS, Clark County Real Property Management (RPM) prepared a social distancing occupancy plan for the public areas and courtrooms of the Regional Justice Center in a manner consistent with guidelines promulgated by the Nevada Department of Business and Industry; and

WHEREAS, Governor's Emergency Directive 036 imposed a stay on certain qualifying unlawful detainer and summary eviction actions; and

WHEREAS, temporary changes to local procedures are necessary to ensure ongoing compliance with Governor's Emergency Directives 035 (Revised) and 036; and

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21-00154

WHEREAS, JCRLV 6.5 allows the Chief Judge to make "such orders as deemed advisable" relating to local court rules and procedure; therefore,

IT IS HEREBY ORDERED that the following temporary changes shall be implemented, effective January 4, 2021:

1. All departments hearing civil cases, including small claims actions, summary eviction actions, and civil actions, will maximize virtual court sessions through BlueJeans or telephonic appearances for all counsel, parties, and witnesses, where possible.

a. Meeting IDs for all civil departments are as follows:
   i. Department 4 – 7026713368
   ii. Department 5 – 7026713381
   iii. Department 6 – 7026713392
   iv. Small Claims – 7026713478
   v. Summary Evictions - 7026710809

2. Parties who do not have internet or cell phone access are authorized to appear in person only when doing so complies with the RPM social distancing occupancy plan. In all other circumstances, motions to continue should be freely granted.

Unlawful Detainer Civil Actions

3. Plaintiffs whose order to show cause hearings and trials were vacated pursuant to Emergency Directive 036 must resubmit a new order to show cause or notice setting trial to the court after the period of the stay has been lifted or terminated. The court will not automatically reschedule these court proceedings.

4. All new orders to show cause or trial setting notices must clearly contain the following information:

a. Notification that the hearing or trial is virtual;
b. Instructions for appearing by video through the BlueJeans virtual hearing through either the internet website or phone application;
c. Instructions for the alternative telephonic appearance through BlueJeans by calling (408) 419-1715;
d. The assigned Meeting ID for the department as set forth in Section 1, above; and
e. Instructions for either appearing personally or filing a motion to continue if internet or telephonic means of appearance are not available.

Summary Eviction Actions

5. Summary eviction actions will be governed by the Governor's Emergency Directive 036. Summary eviction actions determined to be in violation of Emergency Directive 036 will be dismissed.

6. Summary eviction orders previously issued by the Court that are stayed pursuant to Emergency Directive 036 will expire and must be re-issued by the Court prior to re-posting the order.

a. Landlords will have thirty (30) days after the termination of Emergency Directive 036 to file a motion with the Court requesting the re-issuance of an eviction order with an affidavit or declaration under the penalty of perjury that states:

i. The same tenant is still occupying the premises; and
ii. The Landlord has not accepted any rental assistance funds or landlord assistance funds which would impact the Landlord's right to proceed with a lockout.

7. Landlords must file a motion to rescind any eviction order where a subsequent agreement, mediation, curative action, payment of defaulted rent, or acceptance of assistance funds has fully resolved the issues between the parties and resulted in a continuation of the tenancy.

8. Rule 6.2(b) of the Las Vegas Justice Court Local Rules of Practice (LVJCLRP) is suspended for all Covered Evictions, as defined by Section 3 of Emergency Directive 036, until the Directive is terminated.

a. Landlords will have thirty (30) days after termination of Emergency Directive 036 to file an affidavit of complaint for summary eviction for these stayed Covered Evictions.
b. If no complaint is filed, the case will be administratively closed pursuant to LVJCLRP 6.2(d).

9. After the termination of Emergency Directive 036, Landlords whose summary eviction hearings were vacated and stayed pursuant to Emergency Directive 036 must file a motion with the Court requesting the matter to be placed back on calendar. The Court will not automatically reschedule such hearings due to the potential for a change in circumstance during the stay period.

a. Landlords will have thirty (30) days after the termination of Emergency Directive 036 to file a motion to place the hearing on calendar.
b. If no motion to place the hearing on calendar is filed, the case will be dismissed.

IT IS FURTHER ORDERED that this Administrative Order shall continue until March 31, 2021, unless terminated earlier.

Dated this 4th day of January, 2021.

Melissa A. Saragosa

MELISSA A. SARAGOSA
Chief Justice of the Peace
Las Vegas Justice Court