

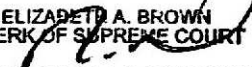
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: AMENDMENT TO RULES
GOVERNING ALTERNATIVE
DISPUTE RESOLUTION, SHORT
TRIAL RULES, AND NRCP 68 TO
INCREASE THE RATES FOR
COMPENSATION TO ATTORNEYS,
ARBITRATORS, MEDIATORS, AND
JUDGES PRO TEMPORE.

ADKT 0575

FILED

JAN 26 2021

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

ORDER SCHEDULING PUBLIC HEARING

On January 22, 2021, the Board of Governors of the State Bar of Nevada (Board) filed a petition seeking to amend the Rules Governing Alternate Dispute Resolution and Short Trial Rules regarding compensation for attorneys, mediators, arbitrators. The proposed amendments are attached as Exhibits A and B. The Board further seeks to amend Nevada Rule of Civil Procedure 68 to allow offers of judgment to be considered in awarding attorney fees in arbitration proceedings. The proposed amendments are attached as Exhibit C.

The Nevada Supreme Court will conduct a public hearing on the petition on March 2, 2021, at 1:30 p.m. There will be no physical location for this hearing. The hearing may be viewed on the Supreme Court's website at www.nvcourts.gov/supreme. Persons interested in participating in the hearing may join the meeting at www.bluejeans.com. Click on join meeting; enter meeting ID 568 522 721; participant passcode 4980. For BlueJeans phone dial in, call 1-408-419-1715 or 1-408-915-6290; enter meeting ID 568 522 721; participant passcode 4980.

The Court invites written comment from the bench, bar, and public regarding the proposed amendments. Comments may be submitted electronically or in hard-copy format to: Elizabeth A. Brown, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 or nvscclerk@nvcourts.nv.gov by 5:00 p.m., February 22, 2021. Persons interested in participating in the hearing must notify the Clerk no later than February 22, 2021.

Dated this 26TH day of January, 2021.

1 Hardesty, C.J.
Hardesty

cc: Eric Dobberstein, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
All District Court Judges
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Elko County Bar Association
Douglas County Bar Association
Administrative Office of the Courts

1 **EXHIBIT A**

2 **RULES GOVERNING ALTERNATIVE DISPUTE RESOLUTION**

3 **NEVADA ARBITRATION RULES**

4 **Rule 16. Form and content of award.**

5 (A) Awards shall be in writing and signed by the arbitrator.

6 (B) The arbitrator shall determine all issues raised by the pleadings in cases
7 that are subject to arbitration under the program, including issues of comparative
8 negligence, if any, damages, if any, and costs. The maximum award that can be
9 rendered by the arbitrator is \$50,000 per plaintiff, exclusive of attorney's fees,
10 interest and costs.

11 (C) Findings of fact and conclusions of law, or a written opinion stating the
12 reasons for the arbitrator's decision, may be prepared at the discretion of the
13 arbitrator.

14 (D) The offer of judgment provisions of N.R.C.P. 68 and NRS Chapter 17
15 apply to matters in the program.

16 (E) Attorney's fees awarded by the arbitrator may not exceed [~~\$3,000~~]
17 \$10,000, unless the compensation of an attorney is governed by an agreement
18 between the parties allowing a greater award.

19 (F) *After an award is made the arbitrator shall return all exhibits to the parties
20 who offered them during the hearing.

Rule 24. Fees for arbitrators.

16 (A) Arbitrators appointed to hear cases pursuant to these rules are entitled to
17 be compensated at the rate of [~~\$100~~] \$150 per hour to a maximum of [~~\$1,000~~]
18 \$2,500 per case unless otherwise authorized by the commissioner for good cause
19 shown. If required by the arbitrator, each party to the arbitration shall submit,
20 within 30 days of request by the arbitrator, a sum of up to [~~\$250~~] \$625 as an
advance toward the arbitrator's fees and costs. If a party fails to pay the required
advance, the party may be subject to sanctions, including an award dismissing the
complaint or entry of the non-complying party's default.

NEVADA MEDIATION RULES

Rule 10. Fees and costs for mediators.

(A) Mediators shall be entitled to remuneration of up to [~~\$1,000~~] \$2,500 per case, unless otherwise authorized by the commissioner for good cause shown.

(B) Mediators are entitled to recover the costs, not to exceed [~~\$250~~] \$625, that the mediator reasonably incurs. Costs recoverable by the mediator are limited to: ...

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