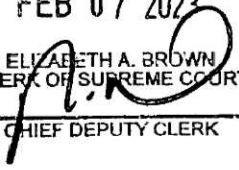


FILED

FEB 07 2023

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

ADKT 602/603

EXHIBIT A

**AMENDMENT TO RULES 6.2, 6.4, 6.5, AND 6.7 AND ADOPTION OF
NEW RULE 6.8 OF THE LAS VEGAS JUSTICE COURT
LOCAL RULES OF PRACTICE**

Rule 6.2. Summary evictions.

(a) A surrender notice will be unenforceable if an eviction notice pursuant to NRS 40.254(1) is not served within 30 calendar days after the period to comply with the surrender notice expires, and the landlord will be required to have a new surrender notice served, except when a tenant has been given an additional 30 calendar days pursuant to NRS 40.251(2).

(b) An eviction notice will be unenforceable if a complaint is not filed within 45 calendar days after the expiration of the eviction notice period, and the landlord will be required to have a new eviction notice served, as well as any prior surrender notice.

(c) If a tenant has filed an untimely answer contesting an eviction notice, the court will not consider it.

(d) If a tenant has filed a timely answer contesting an eviction notice, the court will not schedule a hearing on the summary eviction until the complaint is filed with the court. If no complaint is filed, the case will be administratively closed.

(e) If the tenant has filed a timely answer contesting an eviction notice, and the landlord has filed a timely complaint pursuant to subsection (b), a hearing on the summary eviction will be held no sooner than 14 calendar days and no later than 21 calendar days after the filing of the complaint, unless the court otherwise finds good cause. The court will notify the parties of:

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(1) The hearing date, time, and location; and

(2) The availability of mediation prior to the hearing date.

(f) All summary eviction documents must comply with the following requirements:

(1) *Surrender and eviction notices served upon tenant.*

(A) All landlords and tenants are required to use the surrender and eviction notice forms approved by the court and made available to the public on the Civil Law Self Help Center website at civillawselfhelpcenter.org.

(B) An eviction notice must advise the tenant that the Las Vegas Justice Court (or some similar specific reference) has jurisdiction over the matter. An eviction notice that merely refers to “the justice of the peace,” or “Clark County Courthouse,” or some other nonspecific designation is not valid.

(C) An eviction notice must advise as to the availability of electronic filing of the answer and include the web address for access.

(D) An eviction notice must list the tenant’s name in the order of first name and last name.

(2) *Tenant’s answer.* All tenants must use the tenant’s affidavit in opposition to summary eviction form approved by the court and made available to the public on the Civil Law Self Help Center website at civillawselfhelpcenter.org or through the Odyssey Guide & File interview. A tenant’s answer must include an email address for the tenant, if the tenant has an email address.

(3) *Landlord’s complaint.* All landlords must use the complaint for summary eviction form approved by the court and made available to the public on the Civil Law Self Help Center website at civillawselfhelpcenter.org. A

landlord's complaint must include an email address for the landlord, if the landlord has an email address.

(A) A landlord complaint must be filed in the following order: landlord complaint, eviction notice, proof of service of the eviction notice, lease (if applicable), and any other supporting documents.

(B) The court may strike the landlord's complaint as nonconforming with this rule.

(g) If a landlord has had more than one eviction notice served to the tenant within 1 rental period, and the tenant has filed a timely answer contesting a notice with respect to any of those notices, the court may consolidate for hearing all pending notices and answers.

(h) Unless otherwise ordered by the court, an order for summary eviction that has not been executed by the constable will expire 30 days after the order is filed.

(i) If a summary eviction case is sealed, no further filings will be accepted in that case.

(j) Use of surrender or eviction notices other than those on forms approved by the court may result in dismissal of the case.

(k) A tenant's answer to a summary eviction that is not on the court-approved form may be stricken as nonconforming with this rule.

(l) A landlord's complaint for summary eviction that is not on the court-approved form may be stricken as nonconforming with this rule.

(m) If the tenant has filed a timely answer contesting the eviction notice, the landlord must file the complaint into the same case as the tenant has filed the answer. Failure to file the complaint into the same case as the tenant answer will result in the complaint being stricken as nonconforming with this rule. The filing fee will not be refunded. The case will be closed and sealed.

Rule 6.4. Stay of eviction.

(a) A tenant who requests a delay in the execution of an order for summary eviction or lockout must include such request in the answer.

(b) If an order for summary eviction has already been granted, and a tenant is seeking a stay of execution of that order or lockout, the tenant may file a motion to stay prior to the execution of the order. Any motion to stay filed after execution of the order will be deemed moot and will be denied summarily.

(c) Upon review of a motion to stay that is filed before the execution of an order for summary eviction, the court may set the motion to stay for hearing, or the court may rule upon the motion to stay summarily.

(d) If the court elects to hear a motion to stay pursuant to subsection (c), the hearing must be scheduled on the court's first available hearing date, but not sooner than 10 calendar days from the date the motion is approved for hearing to ensure that all parties can be properly noticed of the hearing.

(e) Once a motion to stay has been ruled upon, a subsequent motion to stay alleging the same grounds may be summarily denied.

(f) A motion to stay that is filed after the parties have entered into a mediation agreement may be summarily denied.

Rule 6.5. Motions to set aside in eviction cases.

(a) A tenant may file a motion to set aside an order for summary eviction after an order for summary eviction has been issued. Such a motion must:

- (1) Set forth valid legal grounds for setting aside the order; and
- (2) Be filed not later than the date of the lockout, unless:

(A) The tenant can show that the order is void because he or she was not properly served with one or more notices as required by NRS 40.280; and

(B) The motion is made within a reasonable time and in no event more than 6 months after the order was issued, unless the court finds that justice demands otherwise.

(b) Upon review of a motion to set aside, the court may:

(1) Rule upon the motion to set aside summarily; or

(2) Set the motion to set aside for hearing and stay the execution of any order for summary eviction pending the resolution of the motion.

(c) If the court elects to hear a motion to set aside pursuant to subsection (b), the hearing must be scheduled on the court's first available hearing date, but not sooner than 10 calendar days from the date the motion is approved for hearing to ensure that all parties can be properly noticed of the hearing.

(d) Once a motion to set aside has been ruled upon, a subsequent motion to set aside alleging the same grounds may be summarily denied.

Rule 6.7. Mediation in eviction cases. Any case that results in a settlement between the parties through mediation must have a mediation agreement between the parties filed with the court prior to the hearing.

Rule 6.8. Eviction Diversion Program.

(a) Cases pending a summary eviction hearing may be identified as eligible for diversion.

(b) Eligibility for the Eviction Diversion Program will be determined by the court and based upon available programs and resources from Clark County Social Services. The eligibility criteria may be amended due to capacity and

available resources from Clark County Social Services. Cases alleging a violation of NRS 40.2514 or 40.2516 will not be eligible for consideration into the Eviction Diversion Program.

(c) Upon processing a tenant's answer, the court will issue an order requiring the tenant to appear at the Eviction Diversion office within 7 to 14 calendar days.

(1) The tenant will be assigned a case worker to connect the tenant to resources and services. Tenants are required to cooperate with the case worker.

(2) The case worker will assist the tenant with any application requirements for rental assistance or any other available resource. Where such rental assistance application has been made, the provisions of Section 2 of Assembly Bill 486 of the 2021 Legislative Session (Chapter 354, Statutes of Nevada 2021, pages 2121-2123) apply.

(3) Upon the recommendation of the case worker, the case may be referred through the Neighborhood Justice Center for mediation. Participation by the parties in mediation is voluntary.

(4) If the tenant fails to appear at the Eviction Diversion office in accordance with the court order or fails to cooperate with the case worker, the case will be removed from the Eviction Diversion Program and proceed to the summary eviction hearing.