

# SUPREME COURT RULES



**ADOPTED  
BY THE  
SUPREME COURT OF NEVADA**

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**Effective October 15, 1965  
and Including  
Rules Current Through April 1, 2000**

(b) Report in writing to the supreme court through the board of governors, at least quarterly, the number of advisory opinions requested during the reporting period, the number of opinions issued during the reporting period, and the number of requests to which the committee has declined to respond.

[Added; effective June 24, 1985.]

**Rule 228. Immunity.** The board of governors, members of the committee and all staff persons assisting them shall have absolute immunity from civil liability for all acts undertaken in the course of their official duties pursuant to these rules.

[Added; effective June 24, 1985.]

#### PART IV. RULES ON CAMERAS AND ELECTRONIC MEDIA COVERAGE IN THE COURTS

**Rule 229. Definitions.**

1. The term “judge” means the particular judge who is presiding over the public proceeding.

2. The term “proceeding” means any trial, hearing, motion, hearing on an order to show cause or petition, or any other matter held in open court which the public is entitled to attend.

[Added; effective May 30, 1988.]

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**Rule 230. Duty of media to obtain permission.** Representatives of the media desiring permission to broadcast, televise, record or take photographs in the courtroom shall file a written request with the judge at least 72 hours before the proceeding commences. For good cause shown, however, the judge may grant such a request on shorter notice. The attorneys of record shall be notified by the court administrator or by the clerk of the court of the filing of any such request by the media. The written order of the judge granting or denying media access to a proceeding shall be made a part of the record on the proceedings.

[Added; effective May 30, 1988.]

**Rule 231. Revocation of permission.** If any media representative fails to comply with the conditions prescribed by the judge, the judge may revoke that individual’s permission to broadcast or photograph the proceedings.

This authorization may be revoked at any time without prior notice when, in the judge’s discretion, it appears that media coverage of the judicial proceedings is interfering in any way with the proper administration of justice.

[Added; effective May 30, 1988.]

**Rule 232. Liaison.**

1. **Court representative.** The court administrator or judge shall maintain communication and liaison with media representatives so as to ensure smooth working relationships and to provide any suggestions to improve these guidelines.

2. **Media representative.** In conjunction with these guidelines to govern electronic media and photographic coverage during court proceedings, the broadcasters and photographers shall designate a representative with whom the court may consult.

Participating members of the electronic media and participating print photographers are to make their own arrangements for the establishment of necessary procedures and selection of a pool representative and alternate to serve for two calendar months, without calling upon the court to mediate any dispute as to the appropriate media representative or equipment authorized for a particular proceeding.

[Added; effective May 30, 1988.]

**Rule 233. Pooling.** Any pooling arrangements necessitated among the media by these limitations on equipment and personnel shall be the sole responsibility of the media and must be arranged prior to coverage without calling upon the court to mediate any dispute regarding appropriate media personnel or equipment. Every effort must be made for the joint use of audio and photographic equipment within the courtroom.

Unless specifically authorized by the judge, no more than one television camera and one still photographer should be taking pictures in the courtroom at any one time. If multiple coverage is desired, it is the responsibility of broadcasting representatives to determine who will participate at any given time, or, in the alternative, how they will pool their broadcast coverage. This understanding should be reached outside the courtroom and before the court session, and must be done without imposing on the court or court personnel.

Media personnel shall demonstrate to the judge adequately in advance of any proceeding that the equipment they seek to utilize meets the sound and light criteria enunciated herein. Media personnel shall not be allowed to use any equipment in any proceeding that has not been judicially approved in advance.

[Added; effective May 30, 1988.]

**Rule 234. Audio systems.** A single audio system will provide sound for both radio and television use, preferably the existing audio system present in the courtroom. If for some reason, such a system does not exist or is not satisfactory for radio and television use, the media shall report that fact to the judge, and shall install, at media expense, microphones and related wiring in advance of the trial or during a recess or adjournment in such a way as to keep the equipment as unobtrusive as possible. Such equipment shall be located in places designated in advance of any proceeding by the court or its designee.

[Added; effective May 30, 1988.]

**Rule 235. Location of equipment and personnel.** Broadcast equipment shall be positioned in such locations in the court facility as shall be designated by the judge. The area designated shall provide reasonable access to coverage.

All equipment shall be in place and tested 15 minutes in advance of the time the court is called to order and shall be unobtrusive or hidden.

1. **Still photograph.** The still camera photographer shall be positioned in such locations in the court facility as shall be designated by the judge. The areas designated shall provide reasonable access to coverage. The still camera photographer shall assume a fixed position within the designated area, and once the photographer is positioned, such photographer shall not move about in any way as to attract attention.

2. **Wires.** Wires, microphones, and similar equipment shall be placed as unobtrusively as possible within the courtroom at least 15 minutes before the proceedings begin and will be secured or taped down when this is appropriate. All wiring

shall be unobtrusive or hidden, and must be placed where it will not interfere with anyone or constitute a hazard. The bailiff shall inspect the location of any wires, microphones, and other equipment to see that they comply with the rules.

[Added; effective May 30, 1988.]

**Rule 236. Dress and decorum.** Media representatives should present a neat appearance in keeping with the dignity of the proceedings.

The decorum and dignity of the court, the courtroom, and the proceedings must be maintained at all times.

[Added; effective May 30, 1988.]

**Rule 237. Limitations (news media).** Broadcast coverage is allowed only for press representatives designated by the pool coordinator to the court.

Identification as a member of the news media shall be carried at all times when covering court proceedings.

[Added; effective May 30, 1988.]

**Rule 238. Limitations (jury).**

1. **Requirements of sequestration of the jury.** In any case where a jury has been impanelled, such jury shall not be sequestered solely because of any activity authorized by these guidelines. This rule does not affect the authority of the judge to order sequestration for any other lawful purpose.

2. **Photography of jury.** Consent of the jury shall not be required. The media will not deliberately photograph the jury or individual jurors. However, it is recognized that, because of the physical layout of some courtrooms and the general trial activity in any courtroom, it may be impossible not to photograph some jurors as part of the proceedings.

3. If no request for permission to broadcast is made, or such a request is denied, the media shall not deliberately photograph the jury or individual jurors in the hallways or immediate areas of courtrooms.

[Added; effective May 30, 1988.]

**Rule 239. Limitations (conferences of counsel).** Camera coverage shall be limited to proceedings open to the public. In order to protect the attorney/client privilege and the right to effective assistance of counsel, the media shall not broadcast by audio or video transmission any conference occurring between attorneys and their clients, between attorneys, between clients or between or among attorneys, their clients and the judge when he calls for a colloquy at the bench.

[Added; effective May 30, 1988.]

**Rule 240. Limitations (consent of parties).**

1. **Consent of participants.** The consent of participants to coverage is not required. The judge, however, in the exercise of sound discretion, may prohibit the filming or photographing of any participant who does not consent to being filmed or photographed. This is in recognition of the authority reposing in the judge, upon the exercise of sound discretion, to hold certain judicial proceedings, or portions thereof in camera and in recognition of the fact that certain proceedings or portions thereof are made confidential by law. This provision does not apply to jurors as they are covered elsewhere in these rules.

2. **Consent not to be given for consideration.** No witness, juror or party shall give consent for any consideration, of any kind or character, either directly or indirectly.

[Added; effective May 30, 1988.]

**Rule 241. Limitations (use of broadcast material).** Film, videotape, photography and audio reproductions may not be used for unrelated advertising purposes.

1. **Official record.** The official court record of any proceeding is the transcript of the original notes of the court reporter made in open court. Films, videotapes, photographs or audio reproductions made in a court proceeding as a result of these rules shall not be considered as part of the official court record.

[Added; effective May 30, 1988.]

**Rule 242. Limitations (restricted access).**

1. **Court discretion.** During the conduct of any voir dire hearing at which the print media is ordered by the judge to be excluded, the electronic media shall also be excluded.

This rule shall not be construed to grant media representatives any greater rights than permitted by law wherein public or media access or publication is prohibited, restricted or limited.

Audio or visual equipment authorized by these rules must not be operated during a recess in a court proceeding unless otherwise approved by the judge, with notice to counsel.

If a proceeding is being covered in the courtroom, then the media representatives shall not be permitted to transmit or record anything regarding that proceeding outside that immediate courtroom area.

[Added; effective May 30, 1988.]

**Rule 243. Appellate process.** No appellate review of the interpretation or application of these rules shall be available to the electronic or print photography media, or parties.

[Added; effective May 30, 1988.]

**Rule 244. Attorney conduct.** Attorneys must observe and strictly comply with Supreme Court Rule 177 regarding the conduct of all attorneys with respect to trial publicity.

[Added; effective May 30, 1988.]

**Rule 245. Briefing conference.** The judge who knows that the proceeding will be covered by radio, television or still photographers shall advise the attorneys and parties in the proceeding of this fact and call these rules to the attention of the attorneys, parties and the media pool coordinator or designee. It shall be the responsibility of attorneys to notify their witnesses.

[Added; effective May 30, 1988.]

**Rule 246. Tape recorders.** Unobtrusive tape recorders located on or near the reporter may be allowed. It will be understood that these recorders will be used only for accurate transcriptions of the court proceedings, and are not to be used for broadcast. Notwithstanding the provisions of Rule 230, tape recorders may be used, provided the bailiff is notified prior to recording.

[Added; effective May 30, 1988.]

**Rule 247. Special rule of judicial conduct.** While these rules are in effect, the provisions of Canon 3(A)(7) of the Nevada Code of Judicial Conduct are suspended and the following language substituted therefor:

Subject at all times to the authority of the judge to: (i) control the conduct of proceedings before the court; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause, electronic media and still photography coverage of public judicial proceedings in the courts of this state shall be allowed in accordance with standards of conduct and technology promulgated by the Supreme Court of Nevada.

[Added; effective May 30, 1988.]

PART V. RULES GOVERNING PRACTICE IN CERTAIN  
ACTIONS IN THE DISTRICT COURTS

**Rule 248. Definitions of words and terms.** In these rules, unless the context or subject matter otherwise requires:

1. "Case" shall include and apply to any and all actions, proceedings and other court matters, however designated.
2. "Clerk" means the clerk of the district court.
3. "Court" means the district court.
4. "Party," "petitioner," "applicant," "claimant," "plaintiff," "defendant," or any other designation of a party to any action or proceeding, case or other court matter shall include and apply to such party's attorney of record.
5. "Person" shall include and apply to corporations, firms, associations and all other entities, as well as natural persons.
6. "Shall" is mandatory and "may" is permissive.
7. The past, present and future tenses shall each include the others; the masculine, feminine and neuter genders shall each include the others; and the singular and plural numbers shall each include the other.

[Added; effective June 1, 1990.]

**Rule 249. Scope, construction and application of rules.**

1. The rules set forth in this part shall be liberally construed to secure the proper and efficient administration of the business and affairs of the court in the cases to which these rules apply and to promote and facilitate the administration of justice by the court.
2. The rules in this part cover the practice and procedure in all cases set forth in the rules that are prosecuted in the district courts of this state. The procedures set forth in these rules will prevail over any inconsistent statute or court rule.

[Added; effective June 1, 1990.]

**Rule 250. Procedure in capital proceedings.**

1. **The scope and purposes of this rule.** The provisions of this rule apply only in cases in which the death penalty is or may be sought or has been imposed, including proceedings for post-conviction relief from a judgment of conviction and sentence of death. This court places the highest priority on diligence in the discharge of professional responsibility in capital cases. The purposes of this rule are: to ensure that capital defendants receive fair and impartial trials, appellate review, and