**Department XXIII**

**Judge Jasmin Lilly-Spells**

**Policies and Procedures**

**Current Assignment**

* Department XXIII is currently assigned a split docket hearing both Civil and Criminal cases. Department XXIII also runs the District Court Veteran’s Treatment Court.

**Contact Information**

|  |  |  |  |
| --- | --- | --- | --- |
| **Title** | **Name** | **Email** | **Phone** |
| **JEA** | Deborah Boyer | boyerd@clarkcountycourts.us | 671-0574 |
| **Law Clerk** | Law Clerk | dept23lc@clarkcountycourts.us | 671-0585 |
| **Recorder** | Michelle Ramsey | ramseym@clarkcountycourts.us | 671-0587 |
| **Court Clerk** | Vanesa Chavez-Holman | ChavezV@clarkcountycourts.us | 671-0697 |
| **Court Clerk** | Alice Jacobson | jacobsona@clarkcountycourts.us | 671-0517 |
| **Marshal** | Paul Pascual |  | 671-0586 |
| **Orders Submission** |  | [DC23inbox@clarkcountycourts.us](mailto:DC23inbox@clarkcountycourts.us) |  |
| **Discovery Commissioner** | Erin Truman |  | 671-4486 |
| **VTC Coordinator** | Joann Celeste | [celestej@clarkcountycourts.us](mailto:celestej@clarkcountycourts.us) | 671-0734 |

* All correspondence directed to the judge shall be emailed to both the JEA and law clerk

**Courtroom Protocols**

* No weapons are allowed
* No food or drinks are allowed, outside of water. Also, no gum allowed in the courtroom.
* While Department XXIII does not require professional or business attire, with the exception of counsel, clothing that inappropriately exposes body parts is prohibited. Shoes are required at all times. Hats should be removed before entering the courtroom.
* All electronic devices must be silenced or turned off before entering the courtroom.
* Members of the public may not in any circumstances communicate directly or indirectly with inmates. This is a crime and you may be subject to arrest for non-compliance.
* Members of the public may not direct questions to the court, interrupt court sessions or make statements unless directly called upon to do so by the court.

**Civil Calendars**

* Department XXIII hears Civil matters on Tuesdays. Status checks and calendar calls are held at 9:15 a.m. Civil law and motion is heard at 9:30 a.m.
* Motion for Summary Judgements and Motions to Dismiss are heard on the 2nd and 4th Tuesdays at 10:00 a.m.
* Mandatory 16.1 hearings are held on the 3rd Tuesdays at 9:30 a.m.
* Prove up hearings are heard on the 1st Tuesday of the month at 9:30 a.m.
* The court hears Order to Show Causes/ Dismissals every week except the 1st Tuesday of the month at 9:15 a.m.
* The court holds a Motion in Limine Calendar periodically, conforming with trial stack dates. This calendar is held on Thursdays at 8:30 a.m.
* If a motion requires extended argument, counsel should contact the department to obtain a special setting time.
* These times are subject to change if the court is in trial.
* For specifics regarding Civil Matters, see below; Civil Matters.

**Criminal Calendars**

* Criminal Calendars are Mondays and Wednesdays. Court starts at 9:15 a.m.
* The Court allows audiovisual appearances by attorneys and clients for non-substantive matters: (arraignments, status checks, probation discharges and requests for continuances). In all other cases, the attorneys and client shall appear in person, unless prior approval has been granted by the court.
* Attorneys shall provide the department with courtesy notice of any requests to continue substantive matters (i.e. sentencings, motions, writs) not later than 1:00 p.m. the day before the hearing.
* Motions to Withdrawal as Counsel of Record should be in writing and comply with NRCrP 3.
* Motions to continue trial should be in writing and in compliance with Civil Calendars NRCrP 15.
* All danger evaluations (coordinated by the attorney) or psychosexual evaluations (coordinated by Parole and Probation) shall be forwarded to the court, not less than one (1) judicial day before the hearing. Failure to provide such shall be cause for a continuance. The court in most circumstances will not read these documents on the bench.
* For specifics regarding Criminal Matters, please see below, Criminal Matters.

**Chambers Calendars**

* Department XXIII has a regular Chambers calendar on Tuesdays. If the court deems it necessary, a matter pending on the Chambers calendar may be set for hearing.
* Matters regularly placed on the chambers calendar include: Application for Default Judgement under $40,000; Application for Judgement Debtor Examination; Minor Comp Status Check Blocked Account; Motion to Associate Counsel; Motion for Attorney Fees; Motions to Consolidate; Motion to Enlarge Time to Serve Defendant; Motion to Serve Defendant by Publication; Motion to Extend Discovery Deadlines (see exceptions delineated in Scheduling Order); Motion for Reconsideration; Motion to Substitute Counsel; Motions to Withdraw; and Pro Hac Vice.
* If a matter is set for 3:00am, it is on the chambers calendar and no appearance is required

**Veteran’s Treatment Court**

* Veteran’s Treatment Court is held every 1st, 3rd and 5th Tuesday of the month at 1:00 p.m. Staffing is held the day of at 10:30 a.m.
* Questions regarding Veteran’s Treatment Court shall be directed to the Specialty Court Coordinator Joann Celeste: [celestej@clarkcountycourts.us](mailto:celestej@clarkcountycourts.us); (702) 671-0734.
* The Court will not accept direct correspondence regarding a Veteran’s Court matter that is in violation of ex parte communication.
* All Veteran’s Court requests shall be made at staffing or on the Court record, unless it is a request for a bench warrant.

**Court Recorder**

* Department XXIII uses a Court Recorder for the official record. To request a transcript and/or CD of a hearing, please email the recorder, Michelle Ramsey at [RamseyM@clarkcountycourts.us](mailto:RamseyM@clarkcountycourts.us); or contact by phone at (702) 671-0587.

All orders for transcripts shall be submitted to [dept23inbox@clarkcountycourts.us](mailto:dept23inbox@clarkcountycourts.us).

**Discovery Commissioner**

* The discovery commissioner for Department XXII is Commissioner Erin Truman. Discovery Commissioner’s office may be contacted by calling (702) 671-4486.

**Attorney Protocol**

* Attorneys are expected to maintain the highest ethical standards at all times, and to strictly adhere to the opportunities, requirements, limitations, and deadlines set by the judge. All counsel are to be punctual for all conferences, hearings and trials. They are to be civil to one another as well as to all parties, witnesses, and court personnel - whether in front of a jury or the court. If counsel is running late, he/she should notify the JEA.
* Attorneys shall not disparage opposing counsel orally or in writing.
* If counsel is pro bono he/she should advise the court clerk upon check-in, so that the matter may be called out of order.
* Unless counsel has secured the Court’s permission, Judge Lilly-Spells expects counsel to stand when addressing the Court, the jury, or when examining witnesses. Counsel may stand where they choose, except that they may not crowd the witness or the jury.
* Counsel may approach a witness with the permission of the Court. If counsel needs to approach the witness many times, Judge Lilly-Spells may instruct the attorney that he or she need not continue to ask. Nonetheless, once the attorney has accomplished his or her reason for approaching the witness (however many times), he or she should return to the place from which he or she is questioning.
* In order to avoid confusion, when counsel receives a court Order filed in a case, counsel is directed to review the contents of the Order. Counsel is responsible for making themselves aware of the actual content of every Order and to ensure compliance.
* In general, counsel should confer with each other before bringing a request before the Court.

**Correspondence with the Court**

* Judge Lilly-Spells does not permit *ex parte* communication with the Court, written or otherwise.
* Judge Lilly-Spells does not accept carbon copies of letters to opposing counsel.
* Judge Lilly-Spells does not accept correspondence via facsimile.
* Most uncontested matters may be submitted to the Court via Stipulation and Order, in accordance with the department’s Scheduling Order.

**Audiovisual Appearances**

* Judge Lilly-Spells allows parties and counsel to appear remotely for all non-substantive matters. Calendar calls, dispositive motions, sentencings, revocation hearings are all considered substantive.
* Counsel and parties shall comply with Supreme Court Rule, Part IX Rule 4.
* In civil matters, counsel must file a Notice of Intent to Appear by Simultaneous Audiovisual Transmission Equipment.
* If the matter is substantive in nature, advance approval is required prior to an audiovisual appearance. Counsel seeking advance approval can contact both Department JEA and Department Law Clerk along with opposing counsel by email.

**Telephone Conferences**

* Judge Lilly-Spells may use a telephone conference to discuss trial scheduling and procedural matters related to the trial (i.e. use of audiovisual equipment; remote witnesses, ADA accommodations). Both parties must be present for a telephone conference and Judge Lilly-Spells will not address any substantive or evidentiary matters. Judge Lilly-Spells usually requests that counsel initiate any such call.

**Courtesy Copies**

* Department 23 is an electronic court. All parties must comply with EDCR Chapter 8 regarding the rules for electronic filing and service.
* Judge Lilly-Spells does not generally require courtesy copies, with the exception of Exhibits totaling over 100 pages. (See EDCR 2.27(b)).
* If a motion includes exhibits that are too large for e-filing and/or the quality of e-filing diminishes (i.e. audio/video files or photographs), please provide an electronic version via email to the law clerk and JEA with the case number, title of motion and hearing date in the subject line. If the files cannot be emailed, contact Department 23 court clerks to obtain information for electronic exhibits.

**Discovery**

* Please see Department XXIII Sample Scheduling Orders, linked above.

**Exhibits**

* In accordance with EDCR 2.67, counsel shall meet, review, and discuss exhibits. All exhibits must comply with EDCR 2.27.
* Three (3) sets must be three-hole punched placed in three ring binders along with the exhibit list. The sets must be delivered to the clerk prior to the firm trial date. Any demonstrative exhibits including exemplars anticipated to be used must be disclosed prior to the calendar call.
* Pursuant to EDCR 2.68, counsel shall be prepared to stipulate or make specific objections to individual proposed exhibits. Unless otherwise agreed to by the parties, demonstrative exhibits are marked for identification but not admitted into evidence.
* Counsel are encouraged to submit joint exhibits. If counsel submits separate exhibits, duplicates shall be removed. Exhibits should be bate stamped for ease in locating a specific page of an exhibit and the Bates numbers should be listed as part of the exhibit list.
* Each party must have an Exhibit lists. Plaintiff exhibits shall be marked by numbers. Defense exhibits are marked by letters. Any joint exhibits shall be marked by numbers. If there are 200 or more exhibits, counsel shall contact the department to discuss using Electronic Exhibits.
* In order to keep an exhibit intact, be certain each exhibit is bound in some fashion.
* Photographs must be identified separately. DO NOT PLACE SEVERAL PHOTOS on one sheet of paper as this causes problems if only one is admitted. For example, if exhibit 23 consists of 3 photos, label them 23-a, 23-b, 23-c etc.
* Do not mark the exhibit itself, this will be done by the Clerk.
* Submit an Exhibit List, numbered for Plaintiffs and lettered for Defendants, containing a short description of each exhibit with three columns to the right entitled: Date Offered/ Objection/Date Admitted.
* Counsel should never approach the jury with exhibits. The Court’s marshal will distribute jury notebooks and exhibits.
* See also, Scheduling Order and Department 23 Trial Guidelines

**Orders**

***Submission of Orders***

* Department XXIII requires proposed orders to be submitted to Chambers within fourteen (14) days of notification of the ruling, pursuant to EDCR 7.21. Failure to timely submit a proposed order may result in an Order to Show Cause hearing.
* Unless otherwise noted, prevailing counsel is required to draft the Order and provide it to opposing Counsel(s) for signature, allowing for a reasonable opportunity to review and/or comment. All Counsel or Parties are required to sign the Order prior to submission. If a signature from all opposing Counsel and/or a Party is not obtained, drafting Counsel is to submit a letter with the Order stating an effort was made along with an explanation for the lack of signature.
* Proposed orders should be emailed in Word and PDF form to [DC23Inbox@clarkcountycourts.us](mailto:DC23Inbox@clarkcountycourts.us).
* Any order that is inconsistent with the oral ruling of the Court or the Court Minutes will be returned unsigned for correction or will be corrected via interlineation.
* Counsel should notify the Court of any perceived error in the Court Minutes by Motion pursuant to NRCP 60(a).
* Any order that simply state a motion was GRANTED or DENIED without any legal explanation will be returned unsigned for correction.
* Counsel should notify the Court of any perceived error in the Court Minutes by Motion pursuant to NRCP 60(a).

***Contested Orders***

* If there is a dispute regarding a proposed order, said dispute may be resolved by submitting competing orders and a cover letter just stating that the other party stated it will be submitting a competing order. Each Counsel should submit their proposed Order electronically, in a Word document, to the Judicial Executive Assistant at [BoyerD@clarkcountycourts.us](mailto:BoyerD@clarkcountycourts.us) and the law clerk at [dept23lc@clarkcountycourts.us](mailto:dept23lc@clarkcountycourts.us).
* If a redline copy is available, counsel may also submit that document. No additional argument should be provided. Rather, the statement should be limited to identifying the language believed to be incorrect, and directing the Court to the alternate language proposed. Submissions to the Court containing substantive argument on the merits of a contested issue are disfavored, viewed as improper ex parte communication, even if copied to opposing counsel, and will, generally, be disregarded.
* Department 23 will choose the Order that most accurately reflects the Court's Decision. If after considering the proposed orders the court believes additional input from counsel is appropriate, the court may set a conference call or hearing to obtain additional information or argument from counsel.
* If neither order submitted is accurate, the Court will draft its own order.
* Contested orders are due within 14 days of the hearing, pursuant to EDCR 7.21. Failure to timely submit a contested order may result in the opposing order being signed.

**Electronic Signatures**

* Department 23 accepts ink, typewritten and electronic signatures. All type-written and electronic signatures must include an email attached to the Order verifying approval for the type-written or electronic signature.
* All electronic signatures shall comply with Administrative Order 21-03 and NEFCR Rule 11(a).

**Trial Matters**

* Department XXIII staff is not available to mark exhibits or assist counsel with technology or any other concerns during trial lunch breaks.
* All parties should make an appointment to test equipment prior to the start of trial.
* Counsel is required to provide a hard copy of PowerPoint presentations, prior to showing.
* Criminal Proposed Jury instructions are due to court no later than the first day of trial.
* Daily Transcript requests must be made to the department at the time of Pre-Trial, and in no event, not less than three weeks before trial.
* Counsel is responsible for alerting opposing counsel and the court, regarding any ADA accommodations or remote witnesses. Counsel must file sign the Audio/Visual Appearance Request document, found on the Court’s homepage for any remote witnesses.
* Counsel is required to coordinate how to share exhibits for any remote witnesses.

***Courtroom Conduct***

* Unless counsel has secured the Court’s permission, Judge Lilly-Spells expects counsel to stand when addressing the Court, the jury, or when examining witnesses. Counsel may stand where they choose, except that they may not crowd the witness or the jury.
* Counsel may approach a witness with the permission of the Court. If counsel needs to approach the witness many times, Judge Lilly-Spells may instruct the attorney that he or she need not continue to ask. Nonetheless, once the attorney has accomplished his or her reason for approaching the witness (however many times), he or she should return to the place from which he or she is questioning.
* Judge Lilly-Spells does not permit speaking objections in front of a jury. Counsel should give the basis for the objection in a word or phrase (*e.g.*, “hearsay”); then approach the bench for further argument.
* Judge Lilly-Spells does not generally allow “continuing objections;” counsel must state every objection for the record.
* If counsel wishes to have a bench conference to argue on an objection, the Court will usually grant the request as long as the numbers of bench conferences remains reasonable. Counsel are strongly encouraged to bring evidentiary questions to the attention of the Court outside the presence of the jury. Recordings of the bench conferences are not available for the transcriptions.
* Counsel has the responsibility to advise their witnesses that no witness should talk to any jury member at any time.
* Counsel has the responsibility to advise their witnesses to not testify to any inadmissible evidence pursuant to the Rules of Evidence or any relevant motion practice.
* Judge Lilly-Spells does not permit more than one attorney for a party to examine the same witness (or make objections).
* Judge Lilly-Spells considers a jury trial a formal affair and asks all counsel to act accordingly. Boxes of exhibits or briefcases should not be on counsel table.
* Opposing counsel should not engage in extended conversations with each other in front of a jury without the Court’s permission. The Court will allow counsel to have a private conversation if it is requested and efficient. However, lawyers absolutely should never argue with either opposing counsel or the Court in front of the jury.

***Jury Questionnaire***

* Department 23 requires all requests for jury questionnaires to be done by Stipulation and Order or by motion and must be filed and heard at least six (6) weeks in advance of the trial date. The questionnaire must be submitted to the Court in final form for signature no less than five (5) weeks prior to the commencement of trial.

***Jury Selection/Voir Dire***

* Department 23 uses a modified version of the "Arizona Method" for jury selection.  The presiding Judge initially conducts voir dire of the entire venire.  After questioning, the Judge meets with counsel at the bench to discuss whether any prospective jurors should be excused for cause or hardship.
* Attorneys are then permitted to conduct voir dire examination of the jury panel.  After initial questioning, attorneys meet with the Judge at the bench to discuss whether any of these prospective jurors should be excused for cause.  Once the prospective jurors are passed for cause, the parties exercise their peremptory challenges.  Excusals for cause are discussed only at the bench and excused jurors are not informed as to the reason for their discharge.
* Judge Lilly-Spells allows multiple counsel to ask questions of the jury panel, as long as each attorney does not ask each panel member the same set of questions. Judge Lilly-Spells will allow questions to the panel as a whole, as well as individualized questions.
* All counsel shall comply with EDCR 7.70. Counsel should not ask irrelevant or cumulative questions.
* Waiving one challenge does not mean waiving all challenges.

***Trial Briefs, Proposed Findings of Facts and Conclusions of Law***

* Counsel may at his/her discretion submit a trial brief for any complex legal issue. (*See Trial Guidelines supra*).
* The court requires Findings of Facts and Conclusions of Law for civil bench trials. (*See Scheduling Order*).

***Opening and Closing Statements***

* Judge Lilly-Spells is flexible with regard to time limits on opening statements and closing arguments, but she does not allow open-ended presentations.
* Power-Point presentations to be used, as long as it has been reviewed and approved by all parties. Counsel must provide a hardcopy of all Power-Point presentations must be printed and given to the clerk before showing the presentation, so it can be marked as recorded as part of the record.
* Counsel should be prepared to begin closing arguments immediately following the close of all evidence.

***Exhibits***

* See supra, Section Exhibits

***Videotaped Testimony, Depositions, Audio Testimony & Jail Phone Calls***

* Judge Lilly-Spells requires counsel to view all video depositions, video testimony, audio testimony and/or jail phone calls for the purpose of editing the exhibit and resolving material objections before offering the evidence.
* Counsel should advise the Court of any disputes regarding admissibility at the earliest possible time. Counsel should not expect the court to break for the day or delay witness testimony to resolve disputes surrounding audio and audiovisual evidence.
* If there is a dispute as to the admissibility of evidence, counsel shall provide the court with the original recording and a redacted version of the recording. Counsel shall also provide the court with written objections as to why the evidence is inadmissible, where possible.

***Directed Verdict Motions***

* Judge Lilly-Spells permits motions for a directed verdict outside the presence of the jury.

***Jury Instructions and Verdict Forms***

* See Department Trial Guidelines, hyperlinked above.
* Counsel must provide one copy of cited and one copy of uncited jury instructions pursuant to the Scheduling Order and/or Department Trial Guidelines.
* Arguments regarding proposed jury instructions and verdict forms will be made on the record.
* Any offered, but not given jury instructions, will be lodged as a Court Exhibit upon request of counsel.
* The court will provide each juror and counsel a copy of the final jury instructions.

***Jury Deliberations***

* Counsel must be available in case questions arise from the jury during its deliberations. Judge Lilly-Spells prefers counsel to be within 15 minutes distance of the courthouse during jury deliberations.
* All jury questions must be submitted in writing. The court will contact counsel upon receipt of any question, before submitting a response to the jury. This will be done on the record.

***Polling the Jury***

* The Court will poll the jury if counsel so requests.

**Criminal Matters**

**Petition to Seal Criminal Records**

* A Petition may be submitted to chambers for processing without placing the matter on the Court’s calendar when approved by the prosecuting agency.
* All petitions not signed off by the prosecuting agency must be placed on the court’s criminal calendar.
* The court may, in its discretion, set a petition signed off by the prosecution agency for hearing.

…

….

**Civil Matters**

**Default Judgment**

* Department 23 requires a 7-Day Notice under NRCP 55(b)(2) regardless of whether an appearance has been made by the party against whom a default judgment is sought and it must not be combined with a Notice of Intent to Take Default.
* All Default Judgments must comply with the notice requirements under NRCP 55(b)(2).
* Default Judgments requesting a total award of $40,000 or less may be submitted to Chambers pursuant to EDCR 2.70.
* Default Judgments requesting an award totaling $40,000 or more; involving claims for injunctive relief, personal injuries, punitive damages or real property must be set on the Department’s regular motion calendar for a prove-up hearing. Additionally, if there is an issue the Court feels requires a hearing, the Court will set the matter on the regular motion calendar.
* Live testimony is required at the prove-up hearing; however, parties may appear (through audiovisual means. (*See Supreme Court Rule, Part IX Rule 4*.)
* Counsel must file all proposed Exhibits with the court no less than three (3) judicial days before the hearing.
* All proposed orders for Default Judgement should be emailed in Word and PDF version to [DC23inbox@clarkcountycourts.us](mailto:DC23inbox@clarkcountycourts.us)

**Injunctive Relief**

* The court disfavors ex parte applications for a temporary restraining order.
* All ex-parte applications for TRO must include an affidavit in accordance with NRCP 65(b).
* If the Court finds ex-parte relief is appropriate, the Court will schedule a Preliminary Injunction as soon as practicable.
* The Court may allow expedited discovery when preliminary injunctive relief is requested.
* At the time of hearing a motion for preliminary injunction, the Court will hear argument and offers of proof and determine if an evidentiary hearing is necessary. If not, the Court will rule; if so, such a hearing will be scheduled. If a TRO has been entered, it will likely be extended pending the evidentiary hearing in accordance with NRCP 65(b).
* The Court requires the submission of proposed findings of fact and conclusions of law in injunction cases, in accordance with NRCP 52.

**…**

**…**

**Civil Motions**

***Unopposed Motions***

* Department 23 may grant unopposed motions in advance of the hearing depending on the nature of the motion. Counsel is required to appear for unopposed motions unless Counsel has received a notice from the Court that they need not appear.

***Considered without Oral Argument***

* Counsel are encouraged to submit written briefs that thoroughly address all issues, arguments, and law related to each motion and include all exhibits, affidavits, and evidence that they deem relevant to the disposition of the matter. In appropriate cases, generally involving non-dispositive motions, the Court may, after reviewing the pleadings and materials submitted by the parties, deem that oral argument would not be necessary or helpful to the disposition of the matter and may instead decide the matter based on the written submission. In those cases, the Court will issue a written order which will be transmitted to the parties in advance of the hearing date.
* Argument without supporting law is disfavored and will most likely be disregarded.

***Motions to Continue Hearing Dates***

* Department 23 requires a written Stipulation and Order submitted to the court, not less than one full judicial day before the hearing to continue a hearing date.
* If the stipulation is not in writing, counsels shall notify the court not less than one judicial day before the hearing and counsel for movant must appear at the hearing and present the oral stipulation.

***Motions to Shorten Time***

* Ex parte Motions to Shorten Time may not be granted except upon an unsworn declaration under penalty of perjury or affidavit of counsel describing the circumstances claimed to constitute good cause and justify shortening of time. If granted, it must be served upon all parties promptly.
* In no event may the notice of the hearing of a motion be shortened to less than 1 full judicial day.
* An Order Shortening Time submitted on a matter that has been previously filed and set for hearing will not be advanced without either 1) a Stipulation and Order or 2) counsel to submit a Motion to Advance the Hearing on OST.

…

…

***Omnibus Motions******and Motions in Limine***

* Department 23 does not allow Omnibus Motions.
* Each Motion in Limine must be numbered and specifically titled. (For example: Motion in Limine #1- to Exclude; Motion in Limine #2 – to Exclude).
* Parties must comply with EDCR 2.47 when filing Motions in Limine.
* Parties have a responsibility to resolve undisputed motions in limine prior to hearing pursuant to EDCR 2.47.
* Any motion in limine filed must be supported by an affidavit of counsel which contains all appropriate elements required by EDCR 2.47. The Court will not consider motions in limine which are not in compliance with EDCR 2.47.

***Unopposed Motions***

* Department 23 may grant unopposed motions in advance of the hearing per EDCR 2.20(e), if time permits. Counsel can check Odyssey and see if the hearing has been vacated and a minute order issued. Advance decision minute orders are sent by the Clerk to all parties. If an advance decision has not been issued, counsel should attend the hearing as the Court may have questions.

**Petition to Compromise Minor’s Claim**

* Petitions to compromise the claims of minors may be submitted to Chambers for processing without placing the matter on the Court´s motion calendar.
* Counsel shall redact all personal information as defined by SRCR 2(6) and NRS 239B.030 prior to filing.
* Failure to redact restricted personal information will require the Petitioner to file a motion to redact pursuant to SRCR 3 and EDCR 2.13 prior to the Judge signing off on the Order to Compromise the Minor’s Claim.
* In order to streamline the review of the Petition, please ensure that all statutory requirements are clearly displayed in the Petition.
* Counsel should include documentation for all costs incurred and requested in the petition, including any cost reductions.
* Proposed orders for the petition should be emailed to the department inbox and sent in both Word and PDF format to [DC23inbox@clarkcountycourts.us](mailto:DC23inbox@clarkcountycourts.us).

**Request for Release of Funds from Minor’s Compromise**

* Any request to disperse money from a minor’s compromise account, must include a recent dated bank statement or a dated Letter of Account Verification on bank letterhead, from the bank, showing the current balance and appropriate government identification or birth certificate, showing age of the minor.
* Government identification and account statements should be redacted as appropriate.

**Sealing and/or Redacting Documents**

* No documents may be submitted to the Court under seal based solely upon the existence of a protective order.
* A request to seal or redact information, must be done by motion. When parties are in agreement, a joint motion, rather than a stipulation and order should be filed with the court.
* In accordance with, Administrative Order 19-03, the motion to seal must contain the language “HEARING REQUESTED” on the front page of the motion under the Department number.
* Pursuant to SRCR Rule 3(5)(b), redaction is preferred and sealing will be permitted only under the most unusual of circumstances
* If a motion to seal and/or redact is filed with the potentially protected information, counsel shall include: the proposed redacted version of the document with exhibit sheets, entitled Exhibit #, Confidential Filed Under Seal.
* Counsel must also file an un-redacted/unsealed version of the document. The court will designate the document as TEMP SEAL until the motion is decided. A TEMP SEAL document will not be accessible to the public.
* If the motion to seal is noncompliant, the motion to seal may be stricken and the potentially protected information unsealed.

**Pre-trial Procedures**

**Rule 16**

* At the Rule 16 conference, counsel are expected to discuss NRCP 16.1 disclosure; production of electronically stored information; settlement conference scheduling; alternative dispute resolution; time limitations for joining parties and amending pleadings, if necessary; scheduling for discovery deadlines, expert reports, motion practice, pre-trial memoranda, and future pre-trial conferences; scheduling a trial date; and any other appropriate matter.
* Parties are expected to have conferred with each other about each of these items prior to the conference.

**Discovery Disputes**

* Discovery is governed by the Court’s Scheduling Order and any filed Stipulation and Orders to Extend Discovery.
* When a discovery dispute arises, counsels are required to discuss it amongst themselves. If, after making a good faith effort, counsels are unable to resolve a disputed issue, counsel for the aggrieved party shall promptly file with the Court a motion.
* As a reminder, all discovery motions must contain the certification required under EDCR 2.34.
* Lack of civility between counsel during discovery and depositions will not be tolerated and may result in sanctions.

**Confidentiality Agreements**

* Department 23 generally approves stipulated confidentiality agreements for discovery purposes.
* All stipulations or motions concerning confidentiality agreements must include a detailed statement illustrating good cause.
* All orders must contain the following language or similar: “The Court retains the right to allow disclosure of any subject covered by this stipulation or to modify this stipulation at any time in the interest of justice.”

**Settlement**

* If parties elect to attend a settlement conference or mediation, party representatives with binding settlement authority must be physically present at the conference.

**Pre-trial Submissions**

* Unless otherwise specified, Judge Lilly-Spells requires the parties to submit the following by a date set by the Court, which is one week prior to the trial date:
  + Jointly-proposed *voir dire* questions;
  + Jointly-proposed jury instructions (including Word versions submitted electronically; one copy with citations and one without);
  + Jointly-proposed verdict forms (including Word versions submitted electronically);
* Counsel are expected to work together to achieve agreement on as many items as possible before submission to the Court.