

FILED

JUL 08 2020

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

*Ann L. Johnson*  
CLERK OF COURT

IN THE ADMINISTRATIVE MATTER  
RELATED TO THE PROCEEDINGS IN CASE  
NUMBER A-19-787004-B

Administrative Order: 20-18

On March 12, 2020, Governor Steve Sisolak issued a Declaration of Emergency in response to the COVID-19 pandemic. The next day, March 13, 2020, the President of the United States declared a nationwide emergency pursuant to Section 501(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207. To mitigate the spread of this deadly virus, the Centers for Disease Control recommends putting as much distance between people as possible, and Governor Sisolak has directed Nevadans to stay home to the greatest extent possible.

Article 3, section 1 of the Nevada Constitution provides that, “The powers of the Government of the State of Nevada shall be divided into three separate departments,—the Legislative,—the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions, appertaining to either of the others, except in the cases expressly directed or permitted in this constitution.” “In addition to the constitutionally expressed powers and functions of each Department, (the Legislative, the Executive, and the Judicial) each possesses inherent and incidental powers that are properly termed *ministerial*. Ministerial functions are methods of implementation to accomplish or put into effect the basic function of each Department.” Galloway v. Truesdell, 83 Nev. 13, 21, 422 P.2d 237, 243 (1967).

1 Rule 1.30(b) of the Rules of Practice for the Eighth Judicial District Court charges  
2 the Chief Judge of the Eighth Judicial District Court with various responsibilities,  
3 including supervising the administrative business of the District Court, ensuring the  
4 quality and continuity of Court services, supervising the court calendar, reassigning cases  
5 as convenience or necessity requires, assuring the Court's duties are timely and orderly  
6 performed, and otherwise facilitating the business of the district court.  
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8 Following the March 12, 2020 Declaration of Emergency, the District Court, in  
9 consultation with the Nevada Supreme Court, concurred with the Governor and exercised  
10 its ministerial judicial powers. The District Court entered Administrative Orders 20-01  
11 through 20-14 and 20-16 through 20-17 on an emergency basis. These Orders changed  
12 Court procedures to minimize person-to-person contact and mitigate the risk associated  
13 with the COVID-19 pandemic, while continuing to provide essential Court services.  
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15 Since March 12, 2020, the Governor has reopened essential and non-essential  
16 businesses with certain protections in place. During Phase 2 of recovery, in order to  
17 ensure access to justice and to prevent an excessive backlog of cases, the District Court  
18 will begin hearing all cases. At the same time, the safety of the public and Court staff  
19 remains a priority.

20 Pursuant to EDCR 1.30(b)(13), the Court has made diligent inquiry related to the  
21 available facilities at the Regional Justice Center and other courthouse facilities to  
22 accommodate the participants in the upcoming bench trial titled *In Re D.O.T. Litigation*,  
23 Case No. A-19-787004-B. The judge presiding over the case has determined that the  
24 number of participants on a daily basis is expected to exceed 50 individuals, including  
25 court staff and witnesses. The Court determines that in order to conduct the proceeding in  
26 compliance with AO 20-17, that an offsite facility is required. The facility located within  
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1 meeting rooms in the South Hall of the Las Vegas Convention Center is hereby  
2 designated as a temporary court building, and rooms S229-S231 within that facility is  
3 hereby designated as a temporary courtroom for the duration of the final pretrial  
4 conference, bench trial, and any related motion practice. Declaration of Emergency  
5 Directive 021, Section 10 does not apply to this proceeding as this bench trial is an  
6 essential function of the Court with time limitations for the licenses at issue in the  
7 litigation.  
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10 Entered this 8<sup>th</sup> day of July 2020.

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14 LINDA MARIE BELL  
15 Chief Judge  
16 Eighth Judicial District Court  
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