

FILED
JUN - 1 2016
Alvin J. Williams
CLERK OF COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

IN THE ADMINISTRATIVE MATTER)
OF PROCEDURES FOR FILING)
AFFIDAVITS RELATED TO)
NRS 52.400(3))

Administrative Order: **16-05**

WHEREAS, the Eighth Judicial District Court of the State of Nevada has received inquiries from law enforcement agencies regarding the statutory changes to NRS Chapter 52; and,

WHEREAS, during Nevada's 78th Legislative Session, Assembly Bill 371 was approved and became effective on October 1, 2015; and,

WHEREAS, pursuant to these legislative changes, provisions governing the destruction of certain physical evidence by law enforcement agencies were revised; and,

WHEREAS, the Eighth Judicial District Court seeks to adopt a procedure that will give direction to all law enforcement agencies in Clark County regarding the required filing of an affidavit pursuant to NRS 52.400(3); and,

WHEREAS, the Clerk of the Court, as a ministerial arm of the judiciary, is responsible for filing and maintaining court records; and,

WHEREAS, the filing of an affidavit submitted by a law enforcement agency pursuant to NRS 52.400(3) shall not be construed as ratification, agreement, or certification of compliance with the statutory requirements described in NRS 52.400(2)(a)-(c).


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IT IS THEREFORE ORDERED, pursuant to NRS 52.400(3), the Clerk of the Court will file and maintain affidavits related to the destruction of certain physical evidence submitted by law enforcement agencies in accordance with the attached District Court Policy.

Entered this 1ST day of June, 2016.

By: 

DAVID BARKER
Chief Judge
Eighth Judicial District Court

**EIGHTH JUDICIAL DISTRICT COURT
ADMINISTRATIVE DIRECTIVE**

DAVID BARKER
Chief Judge, District Court

DISTRICT COURT POLICY NO: 2016-01

STEVEN D. GRIERSON
Court Executive Officer

EFFECTIVE DATE: June 1, 2016

**SUBJECT: PROCEDURE FOR FILING AND MAINTAINING AFFIDAVITS
PURSUANT TO NRS 52.400(3)**

I. PURPOSE

The purpose of this policy is to create a procedure for law enforcement agencies in Clark County to file an affidavit pursuant to NRS 52.400(3).

II. DIVISION AFFECTED

Clerk of the Court

III. PROCEDURE

A. Filing of Affidavit Pursuant to NRS 52.400(3)

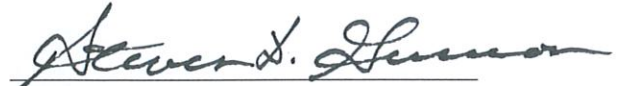
1. Any law enforcement agency seeking to file an affidavit with the Clerk of the Court pursuant to NRS 52.400(3) must:
 - i. Present the affidavit with an NRS 52.400(3) cover sheet as provided by the Clerk of the Court; and,
 - ii. Provide the event number associated with the affidavit.

B. Maintenance of Affidavits

1. The Clerk of the Court will maintain an internal log recording the following information:
 - i. Reference number assigned by the Clerk;
 - ii. Date of filing Affidavit;
 - iii. Event number;
 - iv. Date of destruction;
 - v. Weight (if stated in Affidavit); and,
 - vi. Name and badge number of affiant.
2. The Clerk of the Court will maintain the filed Affidavits in a secure location.



David Barker, Chief Judge
Eighth Judicial District Court



Steven D. Grierson
Court Executive Officer / Clerk
Of the Court