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FILED

AUG 13 9 55 AM '09

DISTRICT COURT

CLARK COUNTY, NEVADA

E. J. Smith
CLERK OF THE COURT

IN THE ADMINISTRATIVE MATTER)
OF THE ASSIGNMENT OF)
PETITIONS FOR JUDICIAL REVIEW)
IN FORECLOSURE MEDIATION)
CASES IN THE EIGHTH JUDICIAL)
DISTRICT COURT)

09-11

**ADMINISTRATIVE ORDER REGARDING THE ASSIGNMENT OF
PETITIONS FOR JUDICIAL REVIEW IN FORECLOSURE MEDIATION
CASES**

WHEREAS, the Nevada Supreme Court issued an Order Adopting Foreclosure
Mediation Rules in ADKT 435 on June 30, 2009.

WHEREAS, the Nevada Supreme Court ordered that the foreclosure mediation rules
shall be in effect on July 31, 2009. The Foreclosure Mediation Rules, Rule 5 (e) provides:

- (e) A party to the mediation may file a petition for judicial review with the district
court in the county where the notice of default was properly recorded seeking a
determination of bad faith participation and sanctions pursuant to NRS Chapter
107 as amended. All such petitions shall be reviewed by the district court in
accordance with Nevada Rules of Civil Procedure and NRS Chapter 107.

1 **WHEREAS**, the Eighth Judicial District Court Rule 1.30 (b)(5) provides that the chief
2 judge make regular and special assignments of all judges, and hear or reassign emergency
3 matters when a judge is absent or otherwise unavailable.
4

5 **WHEREAS**, the Eighth Judicial District Court Rule 1.30 (b)(18) provides that the chief
6 judge assure that court duties are timely and orderly performed.
7

8 **WHEREAS**, the Eighth Judicial District Court Rule 1.30 (b)(18)(iv) provides, in part,
9 that to facilitate the business of the court, the chief judge may delegate the duties prescribed in
10 these rules to other judges.
11

12 **WHEREAS**, the assignment of all petitions for judicial review from foreclosure
13 mediations seeking a determination of bad faith participation and sanctions pursuant to NRS
14 Chapter 107 and the Nevada Rules of Civil Procedure shall be assigned to one district judge in
15 the civil criminal division. This court concludes that this is an efficient management decision
16 for the court and will allow for priority calendaring and hearing of these petitions.
17

18 Therefore,

19 **IT IS FURTHER ORDERED** that a designated judge in the civil criminal division
20 shall hear all petitions for judicial review from foreclosure mediations seeking a determination
21 of bad faith participation and sanctions pursuant to NRS Chapter 107 and the Nevada Rules of
22 Civil Procedure for as long as the chief judge determines that the interests of the district court
23 are promoted by the use of one docket assignment for these cases.
24

25 **IT IS FURTHER ORDERED** that the Honorable Donald M. Mosley, District Court,
26 Department 14, shall hear all petitions for judicial review from foreclosure mediations seeking
27 a determination of bad faith participation and sanctions pursuant to NRS Chapter 107 and the
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Nevada Rules of Civil Procedure pursuant to this administrative order for the Eighth Judicial District Court.

IT IS FURTHER ORDERED that this Administrative Order shall be in effect on September 1, 2009, and shall continue until modified or rescinded by a subsequent Administrative Order.

DATED this 12 day of August, 2009.



CHIEF JUDGE