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DISTRICT COURT  
CLARK COUNTY, NEVADA

*Shirley S. Humphreys*  
CLERK

In the Matter of following the requirements ) Administrative Order No. 07- 01  
of NRS 239B.030 and the Court Clerk's )  
responsibilities under NRS 239B.030 )  
\_\_\_\_\_ )

ORDER CREATING A TEAM TO DEVELOP POLICIES AND PROCEDURES  
COMPLYING WITH THE INTENT OF NRS 239B.030 AND ORDERING THE COURT  
CLERK TO ACCEPT ANY AND ALL DOCUMENTS FILED WITH THE COURT

WHEREAS, NRS 239B.030 became effective January 1, 2007 requiring among other things that (1) no governmental agency shall require a person to include a social security number on any document that is recorded, filed or otherwise submitted to the governmental agency, and (2) if any governmental agency requires that any social security number of a person be included in a document that is recorded, filed or otherwise submitted that the governmental agency shall ensure that the social security number is maintained in a confidential manner; and,

WHEREAS, the Eighth Judicial District Court acknowledges the validity of the intent of NRS 239B.030, which is to maintain the confidentiality of social security numbers on all recorded, filed or otherwise submitted public documents, and will strive to uphold the intent of the statute; and,

WHEREAS, the Eighth Judicial District Court currently does not require that a person include a social security number on any document that is recorded, filed or otherwise submitted; and,

2 and,

3 WHEREAS, NRS 239B.030 section 4 states that, "a governmental agency may require a  
4 person who records, files or otherwise submits any document to the governmental agency to  
5 provide an affirmation that the document does not contain the social security number of any  
6 person. A governmental agency may refuse to record, file or otherwise accept a document which  
7 does not contain such an affirmation when required and any document which contains the social  
8 security number of a person;"

9 IT IS HEREBY ORDERED that:

10  
11 1. In keeping with the intent of NRS 239B.030, the Chief Judge of the Eighth  
12 Judicial District Court will compile a team of individuals representing all divisions of the Court  
13 to review policies and procedures, including possible changes in court rules, relating to the intent  
14 and application of NRS 239B.030;

15 2. That the Court Clerk shall, until further order of the Court, accept all records,  
16 documents and other filings without the need for an affirmation regarding the presence or  
17 absence of a social security number;

18 3. That neither the Eighth Judicial District Court nor the Court Clerk shall  
19 discourage private litigants or attorneys from filing an affirmation regarding the presence or  
20 absence of a social security number; however, neither the Eighth Judicial District Court nor the  
21 Court Clerk shall require that such an affirmation be filed until further order of the Court.

22 DATED this 4<sup>th</sup> day of January, 2007.

23  
24  
25  
  
KATHY A. HARDCASTLE  
Chief District Judge

# MEMORANDUM


Shirley B. Parraguirre  
County Clerk

CLARK COUNTY CLERK

Diana Alba  
Rita Reid  
Assistant County Clerks

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TO: Members of the Bar

FROM: Shirley B. Parraguirre 

SUBJECT: ADMINISTRATIVE ORDER DATED JANUARY 4, 2007

DATE: January 5, 2007

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Attached herewith is a copy of Administrative Order No. 07-01 signed by Chief Judge Kathy Hardcastle on January 4, 2007 and filed that same date. This order delineates Judge Hardcastle's interpretation of revisions to NRS 239B as enacted by the 2005 Session of the Nevada State Legislature via Assembly Bill 334, which took effect January 1, 2007.

Between the time Assembly Bill 334 passed and the date it took effect, I have engaged in numerous discussions with legal counsel from the District Attorney's Office, Assembly Majority Leader Barbara Buckley and other County Clerks and Recorders from throughout the state. This issue was given serious study and consideration before deciding how the Clark County Clerk's Office would comply with the requirements of this change in the law.

The opinion contained in the attached order differs greatly from the opinions reached by everyone with whom my office has discussed this issue. Nevertheless, considering the pending transition of clerk of court duties under Court Administration, which will take effect January 16, 2007, I do not intend to dispute this directive from the Court.

I encourage you to review for your own edification Assembly Bill 334 as enrolled by the 2005 Legislature to determine your liability, if any, regarding inclusion of social security numbers in court documents or other public records. The intent of the bill was to protect against identity theft as a result of social security numbers contained in public records. Many individuals agree that this new law places responsibility on both the filing party and on the public agency regarding protection of this sensitive information.