

EIGHTH JUDICIAL DISTRICT COURT &
JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

FILED

AUG 23 2017

Ann L. Sullivan
CLERK OF COURT

2017 AUG 21 P 3:31

JUSTICE COURT
LAS VEGAS, NEVADA

IN THE ADMINISTRATIVE MATTER
REGARDING DISMISSALS OF JUSTICE
COURT CASES UPON INDICTMENT IN
DISTRICT COURT

EIGHTH JUDICIAL DISTRICT COURT
BY DEPUTY
ADMINISTRATIVE ORDER # 17-10

LAS VEGAS JUSTICE COURT
ADMINISTRATIVE ORDER # 17-02

WHEREAS, during an open judges' meeting on March 2, 2011, the judges of the Las Vegas Justice Court approved a procedure whereby upon an indictment return in District Court, the District Court would dismiss the related Justice Court case if the DA so agreed; an administrative process was then implemented whereby the District Court had one point of contact in Justice Court who would process the Justice Court dismissals administratively, without the matter coming back on calendar in Justice Court; and

WHEREAS, the Chief Judges of the Eighth Judicial District Court (hereinafter "District Court") and the Las Vegas Justice Court (hereinafter "Justice Court") have determined that the above process should continue, with certain modifications, because:

- (1) The process ensures the efficient dismissal of Justice Court cases in which the defendant has been indicted in District Court, so that a defendant is not held in custody on two separate criminal cases for the same charge(s);
- (2) The process fosters judicial economy because the Justice Court cases that are administratively dismissed by the District Court do not need to come on calendar in Justice Court for redundant recordation of the dismissal; and
- (3) The process assists the Clark County Detention Center in that it eliminates the need for unnecessary transports of in-custody defendants to dismissal hearings, which conserves law-enforcement resources and alleviates potential security risks, especially when defendants are being housed in outlying facilities.

1 Therefore,

2 **IT IS HEREBY ORDERED** that the following procedures shall apply when a defendant
3 in a Justice Court case has been indicted by a grand jury:

4 (1) Upon a grand-jury indictment return and an agreement of the DA, the District Court
5 shall dismiss the related Justice Court case(s). The District Court minutes shall reflect
6 the following:

- 7 (a) An order that the Justice Court case is dismissed; and
(b) An order regarding the appropriate disposition of any Justice Court bond.

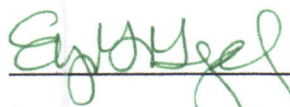
8 (2) Upon the dismissal of the Justice Court case by the District Court, the District Court
9 shall, **within 5 judicial days**, notify the Justice Court Criminal Division Administrator
10 via e-mail and shall attach to the e-mail the indictment packet and a copy of the
11 applicable District Court minutes.

12 (3) The Criminal Division Administrator or designee shall update the Justice Court case
13 by way of a minute-order entry of "Further Proceedings Not Calendared." If the
14 defendant is in custody on the related Justice Court case, the defendant shall be released
15 on said case. Once the Justice Court case is updated, the Criminal Division
16 Administrator or designee shall notify the assigned Justice Court department courtroom
17 clerk via e-mail that the related Justice Court case has been dismissed.


18 **IT IS FURTHER ORDERED** that for cases in which the defendant is in custody on the
19 related Justice Court case, the steps outlined in Section 3 above shall be completed **within 1**
20 **judicial day** after the District Court sends notification of the dismissal to the Justice Court;
21 however, if verification through Jail Lodging confirms that the defendant has not yet been
22 booked on the District Court case, the Justice Court case will not be dismissed, and the defendant
23 will not be released on the Justice Court case, until the District Court booking has been
24 completed. For all other cases, the steps outlined in Section 3 above shall be completed **within 3**
25 **judicial days** after the District Court sends notification of the dismissal to the Justice Court.

26 **IT IS FURTHER ORDERED** that this Administrative Order shall become effective on
27 **September 1, 2017.**

28 Dated this 21st day of August, 2017.



Chief Judge Elizabeth Gonzalez,
Eighth Judicial District Court



Chief Justice of the Peace Joe Bonaventure,
Las Vegas Justice Court