

**DEPARTMENT 5**  
**EVIDENTIARY HEARING GUIDELINES**

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In an effort to avoid any witness or evidentiary issues, the Court would like to set the following guidelines for the upcoming hearing:

Counsel, please meet and confer as to any intended witnesses and evidence to be presented, in an effort to avoid any confusion or inconvenience.

Counsel will be given the opportunity to submit written Opening Briefs in lieu of any Opening Arguments. These Briefs will contain the party's arguments as to the facts and law at issue. In the event briefing on the matter has already occurred, counsel, along with the Court, may determine the need for further briefing.

Please exchange all evidentiary items and a list of intended witnesses at least one week prior to the hearing. Further, provide this list of intended witnesses to the Court at least one week prior to the hearing.

Please submit three (3) copies of any exhibits, preferably in a joint exhibit binder to avoid duplicates: one copy for the Judge, one copy for the Clerk, and one copy for the witness. If there are disputed exhibits from either party, please create a binder of those exhibits and submit three (3) copies of that binder as well.

Please direct any exhibit questions to Department 5's Court Clerk, Carolyn Jackson, at (702) 671-0696 or by email at [Jacksonc@clarkcountycourts.us](mailto:Jacksonc@clarkcountycourts.us)

In order to present any evidence or witnesses during the Evidentiary Hearing which were not previously disclosed, there must be good cause shown.

Counsel may present affidavits in lieu of live testimony, if warranted by the circumstances, pursuant to NRCP 43(c), which provides that "When a motion relies on facts outside the record, the court may hear the matter on affidavits presented by the respective parties, but the court may direct that the matter be heard wholly or partly on oral testimony or depositions."

For any submissions to the Court, please provide the information to both the JEA and the Law Clerk. Counsel may contact Tara Moser, the JEA, at (702) 671-4360 or by email at [mosert@clarkcountycourts.us](mailto:mosert@clarkcountycourts.us) Counsel may contact Chase Tinnell, the Law Clerk, at (702) 671-4357 or by email at [dept05LC@clarkcountycourts.us](mailto:dept05LC@clarkcountycourts.us)