

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ADOPTION  
OF NEVADA RULE OF CIVIL  
PROCEDURE 7.1, NEVADA RULE OF  
APPELLATE PROCEDURE 26.1 AND  
AMENDMENT OF NEVADA RULE OF  
APPELLATE PROCEDURE 28.

ADKT 0466

**FILED**

NOV 04 2011

TRACEY LINDSEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

ORDER ADOPTING NRCP 7.1, NRAP 26.1 AND AMENDING NRAP 28

WHEREAS, on September 21, 2011, the Honorable Kristina Pickering, the Honorable Michael Douglas, and the Honorable James Hardesty petitioned this court requesting the adoption of a Nevada Rule of Civil Procedure 7.1, Nevada Rule of Appellate Procedure 26.1, and amendment of Nevada Rule of Appellate Procedure 28, in order to implement a requirement that parties to a case notify the court of potential conflicts; and

WHEREAS, this court solicited comment from the bench, bar and public regarding the proposed amendments and held a public hearing on October 19, 2011; and

WHEREAS, this court has determined that the proposed rule changes are warranted; accordingly

IT IS HEREBY ORDERED that Nevada Rule of Civil Procedure 7.1 and Nevada Rule of Appellate Procedure 26.1 shall be adopted and Nevada Rule of Appellate Procedure 27 shall be amended and shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that the rule changes shall be effective 60 days from the date of this order. The clerk of this court shall cause a notice of entry of this order to be published in the official

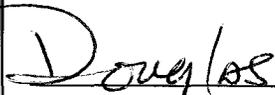
publication of the State Bar of Nevada. Publication of this order shall be accomplished by the clerk disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the State Bar of Nevada. The certificate of the clerk of this court as to the accomplishment of the above-described publication of notice of entry and dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing rules.

It is so ORDERED.



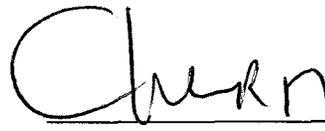
Saitta

, C.J.



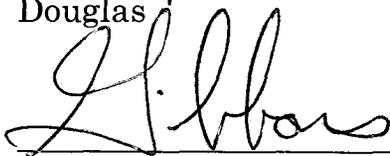
Douglas

, J.



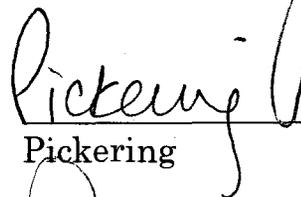
Cherry

, J.



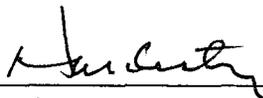
Gibbons

, J.



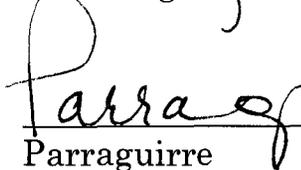
Pickering

, J.



Hardesty

, J.



Parraguirre

, J.

cc: All District Court Judges  
Constance Akridge, President, State Bar of Nevada  
Kimberly Farmer, Executive Director, State Bar of Nevada  
Clark County Bar Association  
Washoe County Bar Association  
First Judicial District Bar Association  
Administrative Office of the Courts

**ADKT 466 - EXHIBIT A**

**NEVADA RULES OF CIVIL PROCEDURE**

**RULE 7.1. DISCLOSURE STATEMENT**

**(a) Who must file; Contents.** Any nongovernmental party to a civil proceeding must file an original and one copy of a disclosure statement that:

(1) identifies any parent corporation and any publicly held corporation owning 10% or more of its stock; or

(2) states that there is no such corporation.

**(b) Time to file; Supplemental Filing.** A party must:

(1) file the disclosure statement with its first appearance, pleading, petition, motion, response, or other request addressed to the court; and

(2) promptly file a supplemental statement if any required information changes.

## NEVADA RULES OF APPELLATE PROCEDURE

### RULE 26.1. DISCLOSURE STATEMENTS

(a) Who Must File Statement and Contents. Every attorney for a non-governmental party or amicus curiae to a proceeding in the Supreme Court of Nevada must file a statement identifying all its parent corporations and listing any publicly-held company that owns 10% or more of the party's stock or states that there is no such corporation. The statement must also disclose the names of all law firms whose partners or associates have appeared for the party or amicus in the case (including proceedings in the district court or before an administrative agency) or are expected to appear in this court. If any litigant is using a pseudonym, the statement must disclose the litigant's true name. A disclosure required by the preceding sentence will be kept under seal.

(b) Time to file; Supplemental Filing. A party must file the disclosure statement with the principal brief or upon filing a motion, response, petition, or answer in the Supreme Court of Nevada. Even if the party's statement has already been filed, the party's principal brief must include the statement before the table of contents. A party must supplement its statement whenever the information that must be disclosed under NRAP 3F changes.

(c) Number of Copies. If the Rule 26.1 statement is filed before the principal brief, or if a supplemental statement is filed, the

party must file an original and 1 copy unless the court requires a different number by order.

**(d) Form.** The certificate must be in the following form:

(1) Caption setting forth the name of the court, the title of the case, the case number and a the title “NRAP 26.1 Disclosure;”

(2) The undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed. These representations are made in order that the judges of this court may evaluate possible disqualification or recusal.

(Here list names of all such persons and entities and identify their connection and interest.)

Attorney of record for \_\_\_\_\_.

## **RULE 28. BRIEFS**

**(a) Appellant's Brief.** The appellant's brief shall be entitled "Appellant's Opening Brief" and shall contain under appropriate headings and in the order indicated:

(1) a disclosure statement that complies with Rule 26.1;

(2) a table of contents, with page references;

(3) a table of authorities--cases (alphabetically arranged), statutes, and other authorities--with references to the pages of the brief where they are cited;

(4) a jurisdictional statement, including:

(A) the basis for the Supreme Court's appellate jurisdiction;

(B) the filing dates establishing the timeliness of the appeal; and

(C) an assertion that the appeal is from a final order or judgment, or information establishing the Supreme Court's jurisdiction on some other basis.

(5) a statement of the issues presented for review;

(6) a statement of the case briefly indicating the nature of the case, the course of the proceedings, and the disposition below;

(7) a statement of facts relevant to the issues submitted for review with appropriate references to the record (see Rule 28(e));

(8) a summary of the argument, which must contain a succinct, clear, and accurate statement of the arguments made in the body of the brief and which must not merely repeat the argument headings;

(9) the argument, which must contain:

(A) appellant's contentions and the reasons for them, with citations to the authorities and parts of the record on which the appellant relies; and

(B) for each issue, a concise statement of the applicable standard of review (which may appear in the discussion of the issue or under a separate heading placed before the discussion of the issues);

(10) a short conclusion stating the precise relief sought; and

(11) an attorney's certificate that complies with Rule 28.2.

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