

FILED

NOV 12 2020


CLERK OF COURT

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

IN THE ADMINISTRATIVE MATTER
RELATED TO FACE COVERINGS,
RESCHEDULING JURY TRIALS, AND
CLOSING THE CLERK'S OFFICE TO THE
PUBLIC IN RESPONSE TO COVID-19

Administrative Order: 20-23

On March 12, 2020, Governor Steve Sisolak issued a Declaration of Emergency in response to the COVID-19 pandemic. The next day, March 13, 2020, the President of the United States declared a nationwide emergency pursuant to Section 501(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207. To mitigate the spread of this deadly virus, the Centers for Disease Control recommends putting as much distance between people as possible and wearing face coverings. Governor Sisolak, in Directive 021, also recommends social distancing and mandates the wearing of face masks by employees interfacing with the public.

The Nevada Constitution provides in Article 3 § 1 that, "The powers of the Government of the State of Nevada shall be divided into three separate departments,—the Legislative,—the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions, appertaining to either of the others, except in the cases expressly directed or permitted in this constitution." The Nevada Supreme Court has also found that "In addition to the constitutionally expressed powers and functions of each Department, (the Legislative, the Executive, and the Judicial) each possesses inherent and incidental powers that are properly termed ministerial. Ministerial functions are methods of implementation to

1 accomplish or put into effect the basic function of each Department.” Galloway v.
2 Truesdell, 83 Nev. 13, 21, 422 P.2d 237, 243 (1967).
3

4 Rule 1.30(b) of the Rules of Practice for the Eighth Judicial District Court charges
5 the Chief Judge of the Eighth Judicial District Court with various responsibilities,
6 including supervising the administrative business of the District Court, ensuring the
7 quality and continuity of Court services, supervising the Court calendar, reassigning
8 cases as convenience or necessity requires, assuring the Court’s duties are timely and
9 orderly performed, and otherwise facilitating the business of the district court.

10 Following the March 12, 2020 Declaration of Emergency, the District Court, in
11 consultation with the Nevada Supreme Court, concurred with the Governor and exercised
12 its ministerial judicial powers. The District Court entered Administrative Orders 20-01
13 through 20-14 and 20-16, 20-17, and 20-22 on an emergency basis. These Orders
14 changed Court procedures to minimize person-to-person contact and mitigate the risk
15 associated with the COVID-19 pandemic, while continuing to provide essential Court
16 services.
17

18 On November 11, 2020, Governor Sisolak announced an alarming increase in new
19 COVID-19 cases in Nevada. The Governor requested all individuals to stay in as much
20 as possible, and to wear face coverings at all times. This order continues the District
21 Court’s response to the COVID-19 pandemic and allows the business of the Court to go
22 forward safely. As a result of the Governor’s announcement, Clark County now requires
23 employees to wear face coverings at all times while at work, even when the employee is
24 in a personal workspace or office.
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1 **Mandatory Face Coverings Are Required at All Times**

2 In keeping with the Governor's announcement and the policy of Clark County, all
3 District Court judges and employees are required to wear face coverings at all times
4 while in the workplace except while eating or drinking during breaks. This includes all
5 areas of court facilities, including parking lots. Face coverings must cover the nose and
6 mouth at all times. Face coverings with vents or made out of mesh are not permitted.
7 Face shields may be worn with a mask as added protection, but may not be worn alone.
8

9 This Administrative Order modifies the mandatory face covering provisions found in AO
10 20-17. Administrative Order 20-17 previously allowed district court employees to not wear a
11 face covering if they worked alone in an unshared workspace.
12

13 The provisions of Administrative Order 20-17 requiring all attorneys, vendors and
14 employees of any organization or entity who work in a Court facility to wear face coverings at
15 all times while in any common areas of the facility remain in effect. Common areas include, but
16 are not limited to, security screening, lobby areas, public elevators, employee elevators, shared
17 back hallways, public restrooms, and courtrooms.

18 **Rescheduling Jury Trials**

19 All jury trials currently scheduled to begin prior to November 30, 2020, will be
20 continued. Jury trials currently in progress should continue to the conclusion of the
21 trial.
22

23 **Clerk's Office Is Closed to In-Person Filing**

24 Effective immediately, for the safety of the clerks and to minimize building traffic,
25 the District Court Clerk's Offices at both the Regional Justice Center and the Family
26 Court will be closed for in-person filings until November 30, 2020. Filings must be
27
28

1 completed electronically. For litigants who do not have the ability to electronically file
2 documents, documents may be mailed as follows:

3 District Court Civil/Criminal Division

4 Attn: Clerk's Office

5 Regional Justice Center

6 200 Lewis Ave.

7 Las Vegas, NV 89155

8 District Court Family Division

9 Attn: Clerk's Office

10 Family Court

11 601 N. Pecos Rd.

12 Las Vegas, NV 89155

13 This Administrative Order temporarily modifies the relevant provisions found in
14 AO 20-22, where the District Court re-opened the Clerk's Office in a limited capacity.

15 **Meetings**

16 Effective immediately and until November 30, 2020, there shall be no in-person
17 gatherings of meetings outside of individual judicial departments to discuss Court
18 business.

19 **Final Provisions**

20 Except where otherwise noted, this order will be reviewed every 30 days and
21 remain in effect until modified or rescinded by a subsequent order.

22 Dated this 12th day of November, 2020

23 

24 64A A53 79D1 75DE
25 Linda Marie Bell
26 District Court Judge