

1
2 JUSTICE COURT, LAS VEGAS TOWNSHIP

3 CLARK COUNTY, NEVADA

FILED

2015 MAY -6 A 2:01

JUSTICE COURT
LAS VEGAS NEVADA

4
5 IN THE ADMINISTRATIVE MATTER
6 REGARDING DUI AND VEHICULAR
7 CASE ASSIGNMENTS

ADMINISTRATIVE ORDER 15-03...
(As amended on April 21, 2015)

8
9
10 WHEREAS, JCRLV 6.5(b)(13) empowers the Chief Judge to "[r]eassign cases or
11 categories of cases from a department to another department as convenience or necessity
12 requires"; and

13
14
15 WHEREAS, the Chief Judge has determined that the Las Vegas Justice Court's case-
16 assignment policies for DUI cases and vehicular-crime cases should be clarified and publicized;
17 therefore,

18
19
20 IT IS HEREBY ORDERED that cases shall be assigned automatically to one of the
21 DUI/Vehicular-Crime Departments¹ of the Las Vegas Justice Court based upon the following
22 charges in the Court's case-assignment matrix:
23
24
25
26

27
28 ¹ The two judges who are currently assigned a DUI/Vehicular-Crime caseload are Judge Karen Bennett-Haron and Judge Suzan Baucum. However, the case-assignment procedures established by this Administrative Order will remain in effect even if different judges are eventually assigned to the DUI/Vehicular-Crime Departments.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (1) All DUI's (misdemeanor or felony)²;
- (2) Vehicular Homicide (felony)³;
- (3) Homicide by Vessel (felony)⁴;
- (4) Evading/Stop Required upon Signal of Police Officer (felony)⁵;
- (5) Reckless Driving (felony)⁶;

² The applicable statutes in this category are as follows:

NRS 484C.110	(commonly referred to as "DUI")
NRS 484C.120	(commonly referred to as "Commercial-Vehicle DUI")
NRS 484C.400	(setting forth the criminal penalties for "DUI")
NRS 484C.410	(applicable penalties when offender has previously been convicted of certain felonious conduct or homicide)
NRS 484C.430	(penalty if death or substantial bodily harm results)
NRS 488.400	(operation of vessel or manipulation of water skis/surfboard recklessly or while intoxicated or under influence of controlled substance)
NRS 488.410	(commonly referred to as "DUI by vessel")
NRS 488.420	(penalty if death or substantial bodily harm results)
NRS 488.427	(penalty for second or subsequent felony)

³ The applicable statutes in this category are as follows:

NRS 484C.130	("Vehicular Homicide")
NRS 484C.440	("Penalties for Vehicular Homicide")

⁴ The applicable statute in this category is the following:

NRS 488.425	("Homicide by Vessel")
-------------	------------------------

⁵ The applicable statutes in this category are as follows:

NRS 484B.550(3)	(property damage/endangering persons or property)
NRS 484B.550(4)	(causing death or bodily harm)
NRS 484B.550(5)	(involving DUI)

⁶ The applicable statute in this category is the following:

NRS 484B.653(6)	(causing death or substantial bodily harm)
-----------------	--

1 (6) Leaving the Scene/Duty to Stop at Scene of Accident Involving Death or Personal
2 Injury (felony)⁷; and

3 (7) Vehicular Manslaughter (misdemeanor)⁸.

4 **IT IS FURTHER ORDERED** that, notwithstanding the above guidelines, the judges of
5 the DUI/Vehicular-Crime Departments shall have the discretion to transfer a case back to the
6 department of origin if the underlying charges in the particular case are sufficiently serious to
7 warrant such action.
8

9
10
11 **IT IS FURTHER ORDERED** that a case will be retracked from one of the
12 DUI/Vehicular-Crime Departments to the department of origin if the following occurs:

13 (1) A complaint with multiple counts is filed and assigned to one of the DUI/Vehicular-
14 Crime Departments pursuant to the case-assignment matrix referenced in this
15 Administrative Order;

16 (2) The charge(s) implicating the case-assignment matrix are dismissed, denied
17 prosecution, or otherwise resolved; and

18 (3) Other criminal charges from the underlying case remain pending for prosecution
19 against the defendant.
20
21
22
23
24

25 ⁷ The applicable statute in this category is the following:

26 NRS 484E.010 ("Duty to stop at scene of accident involving death or personal injury")

27 ⁸ The applicable statute in this category is the following:

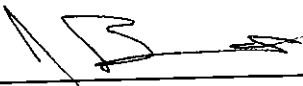
28 NRS 484B.657 ("Vehicular Manslaughter")

1 **IT IS FURTHER ORDERED** that if a case is initially assigned to one of the Criminal
2 departments, and if the DA's Office subsequently adds one or more charges to the case such that
3 the case-assignment matrix referenced in this Administrative Order is implicated, the case will be
4 automatically assigned to one of the DUI/Vehicular-Crime departments for further proceedings.
5

6
7 **IT IS FURTHER ORDERED** that if a defendant is charged with **both** a charge which
8 implicates assignment to the Domestic-Violence Department ("DV Department") **and** a
9 DUI/Vehicular-Crime charge as described above, the case shall be automatically assigned to the
10 DV Department.⁹
11

12 **IT IS FURTHER ORDERED** that this Administrative Order shall become effective
13 immediately.
14

15
16 Dated this 21st day of April, 2015.
17

18
19
20
21
22 
23 _____
24 **Joe Bonaventure,**
25 **Chief Justice of the Peace**
26

27 ⁹ The judge who is currently assigned a DV caseload is Judge Melanie Andress-Tobiasson. However, the
28 case-assignment procedures established by this Administrative Order will remain in effect even if a
different judge is eventually assigned to the DV Department.