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2 JUSTICE COURT, LAS VEGAS TOWNSHIP

3 CLARK COUNTY, NEVADA

FILED

2015 MAY -6 A 2:01

JUSTICE COURT
LAS VEGAS NEVADA

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

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

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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

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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,

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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:
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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.

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- (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:

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| 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:

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| NRS 488.425 | ("Homicide by Vessel") |
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⁵ The applicable statutes in this category are as follows:

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|-----------------|---|
| 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:

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| NRS 484B.653(6) | (causing death or substantial bodily harm) |
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(6) Leaving the Scene/Duty to Stop at Scene of Accident Involving Death or Personal Injury (felony)⁷; and

(7) Vehicular Manslaughter (misdemeanor)⁸.

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

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

- (1) A complaint with multiple counts is filed and assigned to one of the DUI/Vehicular-Crime Departments pursuant to the case-assignment matrix referenced in this Administrative Order;
- (2) The charge(s) implicating the case-assignment matrix are dismissed, denied prosecution, or otherwise resolved; and
- (3) Other criminal charges from the underlying case remain pending for prosecution against the defendant.

⁷ The applicable statute in this category is the following:

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

⁸ The applicable statute in this category is the following:

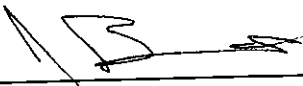
NRS 484B.657 ("Vehicular Manslaughter")

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.
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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
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12 **IT IS FURTHER ORDERED** that this Administrative Order shall become effective
13 immediately.
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16 Dated this 21st day of April, 2015.
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23 _____
24 **Joe Bonaventure,**
25 **Chief Justice of the Peace**
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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.