

FILED

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

2010 MAY 19 A 9:28

JUSTICE COURT
LAS VEGAS NEVADA
BY DEPUTY

1
2
3
4
5 IN THE ADMINISTRATIVE MATTER
6 OF SMALL CLAIMS FILINGS AND CIVIL
7 CASE FILINGS UNDER
8 NRS CHAPTER 604A AND
9 NRS CHAPTER 97A

ORDER # 10-02

10
11
12 **WHEREAS**, JCRLV 1(b) authorizes the Chief Judge to “[s]upervise the administrative
13 business of the court” and to “[a]ssure quality and continuity of services necessary to the
14 operation of the court”; and

15 **WHEREAS**, NRS Chapter 604A regulates deferred deposit loans, high-interest loans,
16 title loans, and check-cashing services; and

17 **WHEREAS**, NRS 604A.475 requires a licensee under this chapter to offer a customer an
18 opportunity to enter into a written repayment plan “[b]efore a licensee attempts to collect the
19 outstanding balance on a loan in default by commencing any civil action or process of alternative
20 dispute resolution or repossessing a vehicle”; and

21 **WHEREAS**, NRS Chapter 97A regulates debts evidenced by a credit card; and

22 **WHEREAS**, NRS 97A.165 declares that in an action brought to collect a credit card debt
23 owed to a purchaser of credit card debt, the complaint is required to include specific information;
24 and
25

1 **WHEREAS**, the Las Vegas Justice Court needs to implement an efficient procedure by
2 which it can monitor compliance with these legal requirements; therefore,

3
4 **IT IS HEREBY ORDERED** that when a loan is governed by NRS Chapter 604A, and
5 a small claims action or a civil action is filed to collect the outstanding balance on such a loan in
6 default under NRS Chapter 604A, the following requirements will apply, regardless of the label
7 given to the particular cause of action:
8

9
10 (1) The plaintiff shall include in the caption the phrase “NRS CHAPTER 604A DEBT,”
11 or some similar designation, in capital letters, and such phrase must appear below the
12 case number and department number on the right side of the caption; and
13

14 (2) The plaintiff must attach to the Complaint, or include with the Complaint at the time
15 of filing, a copy of the written notice that was sent to the customer to inform the customer
16 of the opportunity to enter into a written repayment plan, and such notice must comply
17 with NRS 604A.475; and
18

19 (3) If the caption does not contain the language identified above, and/or if a copy of the
20 written notice is not attached or included with the Complaint, the Complaint will be
21 returned unfiled with a copy of this Administrative Order, and the plaintiff must then
22 amend the caption and/or attach or include a copy of the written notice before the
23 Complaint may be resubmitted for filing.
24
25

1 **IT IS FURTHER ORDERED** that when a credit card debt is governed by NRS Chapter
2 97A, and a small claims action or a civil action is filed under NRS Chapter 97A to collect a
3 credit card debt owed to a purchaser of credit card debt, the following requirements will apply,
4 regardless of the label given to the particular cause of action:
5

6 (1) The plaintiff shall include in the caption the phrase “NRS CHAPTER 97A DEBT,” or
7 some similar designation, in capital letters, and such phrase must appear below the case
8 number and department number on the right side of the caption; and
9

10 (2) The Complaint must include the following specific information that is required by
11 NRS 97A.165:
12

13 (a) The name of the issuer;

14 (b) The last four digits of the account number originally assigned by the issuer;

15 (c) All subsequent account numbers assigned to the credit card debt by all
16 assignees of the credit card debt; and

17 (d) The date of the default on the credit card debt; and
18

19 (3) If the caption does not contain the language identified above, and/or if the Complaint
20 does not include the specific language required by NRS 97A.165, the Complaint will be
21 returned unfiled with a copy of this Administrative Order, and the plaintiff must then
22 amend the caption and/or amend the Complaint to include the language required by
23 NRS 97A.165 before the Complaint may be resubmitted for filing.
24
25

