

1 JUSTICE COURT, LAS VEGAS TOWNSHIP

2 CLARK COUNTY, NEVADA

FILED

2011 11-03 10:00 AM

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4 IN THE ADMINISTRATIVE MATTER
5 REGARDING CIVIL CASE FILINGS

ORDER # 11-03

BY _____

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8 WHEREAS, Rule 6.5(b) of the Justice Court Rules for the Las Vegas Township
9 (JCRLV) requires the Chief Judge to “[a]ssure quality and continuity of services necessary to the
10 operation of the court” and to “[s]upervise the court’s calendar”; and

11 WHEREAS, during the last few months of last year, the Court was faced with a
12 heightened backlog of civil cases to be processed due to significant staff shortages and budgetary
13 constraints, along with a difficult conversion to a new case management system; and

14 WHEREAS, the backlog was so severe that former Chief Judge Ann Zimmerman
15 previously authorized the temporary closure of the Civil Customer Service Counter in order for
16 staff to focus on eliminating that backlog; and

17 WHEREAS, it has come to the Court’s attention that many civil cases during the
18 applicable time period were not processed with sufficient time for attorneys to be able to comply
19 with the dictates of JCRCP 4(i); and

20 WHEREAS, JCRCP 4(i) declares that if service of the summons and complaint is not
21 made upon a defendant “within 120 days after the filing of the complaint,” the action must be
22 dismissed as to that defendant without prejudice upon the court’s own initiative; and

23 WHEREAS, the rule further contemplates that a party may file a motion to enlarge the
24 time for service, based upon a showing of good cause why such service was not made within the
25 120-day period; and

26 WHEREAS, the rule declares that “[u]pon a showing of good cause, the court shall
27 extend the time for service and set a reasonable date by which service should be made”; and
28

1 **WHEREAS**, the Court believe that all affected cases during the applicable time period
2 should be granted an extension of time for service based upon the "good cause" related to the
3 prior backlog in the Civil Division; therefore,

4 **IT IS HEREBY ORDERED** that, for all civil cases filed during the period of **July 1,**
5 **2010, through December 31, 2010**, plaintiffs will be entitled to an extension of time to serve the
6 summons and complaint, without having to file a motion to request that extension of time; and

7 **IT IS HEREBY ORDERED** that the civil cases governed by this Order shall be those
8 cases set forth at Exhibit "A," which is a lengthy separate document that is on file with the Las
9 Vegas Justice Court Clerks' Office and available for public inspection; and

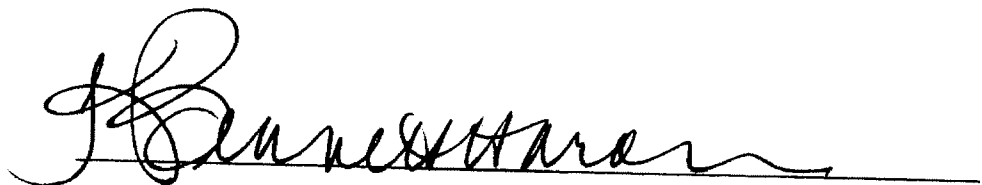
10 **IT IS HEREBY ORDERED** that the extension of time granted by this Order shall
11 remain in effect until **June 15, 2011**; and

12 **IT IS FURTHER ORDERED** that if a civil case was filed during the period of July 1,
13 2010, through December 31, 2010, and that case was subsequently dismissed for failure to
14 comply with JCRCP 4(i), this Order may be cited as a basis for a Motion to Set Aside the
15 Dismissal; and

16 **IT IS FURTHER ORDERED** that all civil cases encompassed by this Order may be
17 subject to future dismissal under JCRCP 4(i) if service of the summons and complaint is not
18 made within the extension of time granted by this Order; and

19 **IT IS FURTHER ORDERED** that this Order shall be effective immediately and shall
20 remain in effect unless amended or rescinded by a subsequent administrative Order.

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23 Dated this 2nd day of March, 2011.

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27 **KAREN BENNETT-HARON**

28 **CHIEF JUDGE OF THE LAS VEGAS JUSTICE COURT**