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Civil Procedure; Disclosure of Disposition of Child's Case

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Civil Procedure; preferential setting of trial dates

NEV. REV. STAT. § 16.____ (new).

AB 740 (Committee on Judiciary); 1987 STAT. Ch 346

Chapter 346 provides that a court may grant a preference in setting a trial date if any party to a civil action is seventy years of age¹ or has provided clear and convincing evidence of a life threatening illness.² Additionally, Chapter 346 provides for preference in setting a trial date if the damages sought are allegedly caused by a defendant's actions for which he has been convicted of a felony.³ If the motion for preference is granted, the court must set a trial date no later than 120 days after the hearing on the motion.⁴

SKP

1. 1987 Nev. Stat. ch. 346, sec. 1, at ____ (enacting NEV. REV. STAT. § 16.____ 1) (unless the court finds that the party does not have a substantial interest in the case as a whole).

2. *Id.* sec. 2, at ____ 2 (enacting NEV. REV. STAT. § 16.____) (Chapter 346 applies to illnesses which raise a substantial doubt as to whether the person will survive for more than 6 months).

3. *Id.* sec. 1, at ____ (enacting NEV. REV. STAT. § 16.____ 4).

4. *Id.* sec. 1, at ____ (enacting 1987 NEV. REV. STAT. § 16.____ 3,4) (unless the court deems it infeasible).

Civil Procedure; disclosure of disposition of child's case

NEV. REV. STAT. § 62.193 (amended).

AB 675 (Committee on Judiciary); 1987 STAT. Ch 364

Existing law provides for special noncriminal proceedings for children alleged to be delinquent, in need of supervision, or in need of commitment to an institution for the mentally retarded.¹ Under existing law, when the court finds that the allegations in the petition have not been established, the petition and order must be dismissed and the child discharged from any detention or temporary care that was ordered in the proceedings.² Existing law also requires that if

1. NEV. REV. STAT. § 62.193 1 (amended by 1987 Nev. Stat. ch. 364, sec. 1, at ____ (must be heard separately from the trial of cases against adults).

2. *Id.* § 62.193 3 (amended by 1987 Nev. Stat. ch. 364, sec. 1, at ____).

the court finds that a child is in need of supervision, or is in need of commitment to an institution for the mentally retarded, the court may make proper disposition of the case immediately.³ Chapter 364 allows the District Attorney to disclose the disposition of a child's case to the victim of the acts committed by the child.⁴ In addition, Chapter 364 prohibits the victim from disclosing to any other person the information disclosed by the District Attorney.⁵

SAW

3. *Id.* § 62.193 7 (amended by 1987 Nev. Stat. ch. 364, sec. 1, at ___) (disposition of the case may also be made at a postponed hearing). *See generally*, 47 Am. Jur. 2d § 59 (1969) (to give a reformed juvenile offender a chance to start fresh with a clean record, a number of states have erased the juvenile court record).

4. 1987 NEV. STAT. ch. 364, sec. 1, at ___ (enacting NEV. REV. STAT. § 62.193 8).

5. *Id.*

Civil Procedure; offers of judgment—attorney's fees

NEV. REV. STAT. § 17.115 (amended).

AB 806 (Committee on Judiciary); 1987 STAT. Ch 443

Under existing law, any party to an action may serve an offer in writing stating the terms and conditions of the judgment.¹ If the offer is not accepted prior to trial or within thirty days after being made, the offer is deemed withdrawn and may not be given in evidence at trial.² Furthermore, if the offeree fails to obtain a more favorable judgment, the offeree cannot recover costs³ or interest on the judgment.⁴ The court, however, may order the offeree to pay the offeror's taxable costs and any reasonable sum to cover the cost of the prevailing party's expert witnesses.⁵ Chapter 443 provides that

1. NEV. REV. STAT. § 17.115 1.

2. *Id.* § 17.115 3 (amended by 1987 Nev. Stat. ch. 443, sec. 1, at ___) (whichever occurs first).

3. *Compare id.* § 17.115 4(b) (amended by 1987 Nev. Stat. ch. 443, sec. 1, at ___) with NEV. R. CIV. P. 68 (allowing no recovery by an offeree of attorneys' fees and mandating payment of offeror's attorneys' fees).

4. NEV. REV. STAT. § 17.115 4(a) (interest on the judgment from time of service of the summons and complaint to the time of entry of the judgment).

5. *Id.* § 17.115 4(a), (b) (amended by 1987 Nev. Stat. ch. 443, sec. 1, at ___) (an expert witness must not be an employee of any party necessary in the preparation of the case).