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Civil Procedure; examination of judgment debtor

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Civil Procedure; death notice—sanctions

NEV. REV. STAT. § 230.____ (new).
AB 677 (Callister); 1989 STAT. Ch. 230

Chapter 230 requires the attorney representing a party that has died to file a notice of death and serve it upon all parties to the suit.¹ Sanctions may be imposed against any attorney who fails to comply.²

KRI

1. 1989 Nev. Stat. ch. 230, sec. 1, at ____ (enacting NEV. REV. STAT. § 230.____) (the notice must be filed within 90 days of the death).

2. *Id.* at ____ (sanctions include all costs and attorney's fees or any sanctions the court decides is appropriate).

Civil Procedure; examination of judgment debtor

NEV. REV. STAT. §§ 18.160, 21.270, 21.310 (amended).
AB 735 (Callister); 1989 STAT. Ch. 419

Existing law provides that after entry of a judgment, a creditor may obtain a court order compelling the debtor to appear and answer¹ questions² before the judge or an appointed master.³ Chapter X alternatively authorizes the court to order that the examination be held before the attorney for the creditor.⁴ When an examination is before an attorney, the debtor's oath or affirmation must be administered by a notary public,⁵ and the proceedings must be transcribed

1. A statement must be made under oath. NEV. REV. STAT. § 21.270 (1987) (amended by 1989 Nev. Stat. ch. 419, sec. 2, at ____).

2. Questions are limited to those concerning debtor's property. *Id.*

3. *Id.* The creditor may recover approved costs of the examination from the debtor. *Id.* § 18.160 1(f) (1987) (amended by 1989 Nev. Stat. ch. 419, sec. 1, at ____). *See id.* § 169.097 (1987) (definition of master).

4. 1989 Nev. Stat. ch. 419, sec. 2, at ____ (amending NEV. REV. STAT. § 21.270).

5. *See* NEV. REV. STAT. §§ 240.015-.060 (1987) (powers and qualifications of a notary public). A notary public is appointed by the Secretary of State. *Id.* § 240.010 (1987).

by a court reporter or electronically recorded and preserved for two years.⁶ A debtor who fails to appear may be punished for contempt⁷ by the judge who issued the order.⁸

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6. 1989 Nev. Stat. ch. 419, sec. 2, at ___ (amending NEV. REV. STAT. § 21.270).
 7. See NEV. REV. STAT. § 22.100 (1988) (an offender may be penalized up to \$500, imprisoned for up to 25 days, or both).
 8. 1989 Nev. Stat. ch. 419, sec. 2, at ___ (amending NEV. REV. STAT. § 21.270).

Civil Procedure; facsimile signatures

NEV. REV. STAT. §§ 247.____, 2.____, 3.____, 4.____, 5.____, (new).
AB 639 (Committee on Government Affairs); 1989 STAT. Ch. 467

Chapter 467 permits county recorders, Nevada Supreme Court justices, district court judges, justices of the peace, and municipal judges to use facsimile signatures.¹ In order to prevent misuse, the facsimile machine must be kept in a vault and must allow for the removal of the signature.² The facsimile signature may only be used under the supervision of the officer whose signature is represented and the signature may not be combined with another signature.³

JMM

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1. 1989 Nev. Stat. ch. 467, secs. 1-5, at ___ (enacting NEV. REV. STAT. §§ 247.____, 2.____, 3.____, 4.____, 5.____). The county recorder must receive approval from the Board of County Commissioners. *Id.* sec. 1, at ___ (enacting NEV. REV. STAT. § 247.____). Other officers must receive approval from the Nevada Supreme Court. *Id.* secs. 2-5, at ___ (enacting NEV. REV. STAT. §§ 2.____, 3.____, 4.____, 5.____).
 2. 1989 Nev. Stat. ch. 467, secs. 1-5, at ___ (enacting NEV. REV. STAT. §§ 247.____, 2.____, 3.____, 4.____, 5.____).
 3. *Id.*