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Crimes

Crimes; appointment of referees

NEV. REV. STAT. § 4.____ (new); § 4.060 (amended).
AB 498 (Committee on Judiciary); 1989 STAT. Ch. 169

Chapter 169 provides that a justice of the peace¹ may appoint a referee² to assist with small claims actions³ and misdemeanor⁴ traffic violations.⁵ The referee may take testimony, make findings of fact and conclusions of law, and recommend an order or judgment to the justice.⁶ Within five days of receiving the findings of fact, the parties may object.⁷ If a party objects, the justice will then review the matter by trial de novo.⁸ If no objection is filed, the court will enter judgment upon the findings.⁹

DMT

1. See NEV. REV. STAT. § 4.010 (1987) (qualifications for justices of the peace). Justices are conservators of the peace for their townships. *Id.* § 4.170 (1987). The number of elected justices varies in relation to the population of a township. *Id.* § 4.020 (1987). See *id.* § 4.370 (1987) (jurisdiction of the justices' courts).

2. See 1989 Nev. Stat. ch. 169, sec. 1, at 378 (enacting NEV. REV. STAT. § 4.____) (the referee must meet the qualifications of a justice of the peace). Referees may only be appointed for townships with populations of 100,000 or more. *Id.* See NEV. REV. STAT. § 4.010 (1987) (the justice must have at least a high school diploma or its equivalent, but if the township's population is 250,000 or more, the justice must be an attorney licensed to practice in Nevada). Referees will be compensated at one-half the rate for justices of the peace. *Id.* See also *id.* § 4.040 (1987) (determination of justices' salaries).

3. See NEV. REV. STAT. § 73.010 (1987) (jurisdiction of justices' courts for small claims).

4. See *id.* §§ 193.120, 193.150 (1987) (a misdemeanor is punishable by a fine not exceeding \$1000, imprisonment in a county jail not exceeding six months, or both).

5. 1989 Nev. Stat. ch. 169, sec. 1, at 378 (enacting NEV. REV. STAT. § 4.____). Referees do not have jurisdiction for violations of Nevada Revised Statute sections 484.379 and 484.3795, concerning persons driving under the influence of controlled substances. *Id.*

6. *Id.*

7. *Id.*

8. *Id.* However, the parties may stipulate to confine the review to the record. *Id.*

9. *Id.* (unless the findings are clearly erroneous).