



# **Nevada Courts Statistical Reporting Dictionary**

Revision 4.3  
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Research and Statistics Unit**



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**Revision 4.3 (phase III), April 2024, superseded all previous revisions and added State Engineer/ Water Law Appeal Case information.**

**Revision 4.2 (phase III), January 2023, superseded all previous revisions and added Civil Infraction and Juvenile Protection Order Information.**

**Revision 4.1 (phase III), July 2020, superseded all previous revisions and added High Risk Protection Order Case Information.**

**Revision 4.0 (phase III), July 2018, superseded all previous revisions.**

**Revision 3.3, July 2013 replaced chapter 2 (phase II civil) and added Alternative Dispute Resolution and Short Trial Appendix Section.**

**Revision 3.2, December 2011 replaced page 23 (civil filing amounts), and pages 47-55 (appendix A,B, and index).**

**Revision 3.1, July 2011 replaced chapter 3 (phase II family) and chapter 4 (phase II juvenile).**

**Revision 3.0, August 2009 replaced chapter 1 (phase II criminal) and chapter 2 (foreclosure mediation).**

**Revision 2.5, September 2004 replaced pages 17-24 and 35-36.**

**Revision 2.4, October 2003, superseded all previous revisions (no interim page replacements).**

**Revision 2.3, February 2003, superseded all previous revisions and interim page replacements.**

**Revision 2.0, March 2001 superseded Nevada Courts Statistical Reporting Model, Revision 1.0, dated May 1999.**

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## Overview of Court Statistics

In June 1999, the Supreme Court issued a court order (ADKT 295) implementing the Uniform System for Judicial Records (USJR) Nevada Court Statistical Reporting Model. In 2015, the Nevada Legislature passed AB69, which amended Nevada Revised Statutes (NRS) 3.243, 4.175, and 5.045 requiring all courts to submit statistical information pursuant to a uniform system prescribed by the Nevada Supreme Court. ADKT 295 requires trial courts to submit statistical information as defined herein to the Administrative Office of the Courts (AOC) monthly. The goal of implementing USJR is to ensure that statistics are available to accurately measure the workload of Nevada courts. The purpose of this document is to ensure that consistent and accurate statistics are collected from the trial courts throughout Nevada by articulating an appropriate and obtainable structure for USJR. To accomplish this, a detailed listing (with definitions) of data elements is presented.

The Nevada Courts Statistical Reporting Dictionary (*Dictionary*) is a standardized model for collecting uniform and consistent statistical information across all trial courts in Nevada. Workgroups consisting of representatives from the courts and county clerks' offices developed the data dictionary (see Appendix B).

The *Dictionary* is divided into four sections: criminal, civil, family, and juvenile. Each section is composed of the following three data sets for collecting statistical data.

**Caseload Inventory:** The statistics indicating the number of cases filed during a specified period, broken out by case types and case sub-types. Additionally, caseload inventory captures certain workload statistics of the court, referred to as “proceedings” and “other data,” such as the number of requests for extended protection orders and number of jury trials.

**Time Measures:** Statistics that measure time frames for cases in active status, or the amount of time it took to dispose cases. Collection of time measures are useful for tracking court performance and case flow.

**Manners of Disposition:** Statistics that record the procedural manner in which cases are disposed or the decision methods used to resolve the cases. Examples include “stipulated judgment,” “voluntary dismissal,” and “jury trial – conviction.” All four sections record adjudicated manners of dispositions. Guardianship cases in the family section also record manners of “final” disposition.

All three data sets yield valuable information, both at the local and state levels. However, it may not be practical for Nevada courts to start capturing and reporting all three data sets immediately. Consequently, courts should strive to collect as much information as possible. The caseload inventory and manners of disposition data sets should be considered to be the minimum reporting standard, and courts should focus on those areas first. Additionally, courts should ensure any proposed utilization of a future system has the capability to accurately report all three data sets before implementation of that system pursuant to ADKT 398.

The *Dictionary* is meant to be the baseline measures for courts to report consistent statistical information across the state. Courts are encouraged to expand and develop additional measures for local concerns and metrics. Courts can, for instance, internally track the number of domestic protection order cases that have been active for 0-30 days, instead the *Dictionary's* 0-90 days categorization. Additionally, courts can track cases that have reached the important processing events between their filing and entry of judgment, broken out by the many statuses within each case type such as “awaiting trial,” “awaiting preliminary hearing,” or “awaiting sentencing.”

The *Dictionary* is not meant to override court of record duties prescribed by statute or procedure. Courts should strive for each and every record to be complete and accurate. Additionally, courts should actively monitor the statistics submitted to the AOC to ensure the statistics accurately represent their caseloads. While modern case management systems can aid in this goal, courts should identify when court of record concerns, changing business practices, or revised statutory obligations deviate from the intent of the *Dictionary*. Because the USJR statistics are generally used for administrative actions, resource allocations, and state-wide comparisons, courts should contact the AOC when issues arise.

The first step to standardizing collection of caseloads is to count cases in the following very broad categories (case types): criminal, civil, family, and juvenile. Further breakdowns of these case types are called sub-types and define in more detail particular kinds of cases handled by courts. An example would be a civil case with a sub-type of small claims, which would indicate among other things, the level of court jurisdiction.

Chapters 1, 2, 3, and 4 define the criminal, civil, family, and juvenile sections of the *Dictionary*. Each section contains two major sub-sections:

1. **Caseload Inventory and Time Measures:** Defines the unit of count (e.g., what to count), when to count filings and dispositions, and a listing of case types, sub-types, and additional data items included in each section. Each case type, sub-type, proceeding, and additional data item is defined as well.

Furthermore, this sub-section defines how to report the time cases have been active and the amount of time taken to dispose of cases, as well as when to suspend the counting process.

2. **Manners of Disposition:** Lists the manners of disposition appropriate for the section. Also provides definitions for each manner of disposition.

Some case sub-types listed in this *Dictionary* may be heard by multiple levels of court jurisdiction. However, each level of court jurisdiction determines the appropriate case sub-type categories for its courts. Consequently, throughout the *Dictionary*, each case sub-type will include which level(s) of court jurisdiction are to report statistics for that case sub-type. The three levels of court jurisdiction are District, Justice, and Municipal Courts.

To provide consistency when analyzing statistics across courts, the *Dictionary* specifies which cases to include in each case type or sub-type for each level of jurisdiction. While it is sometimes difficult for courts to initially adhere to the definitions, courts that work with the Nevada Supreme Court, Administrative

Office of the Courts, Research and Statistics Unit will eventually be able to accurately classify cases into the appropriate categories with some effort and planning.

Caseload inventory statistics are useful only if they are consistently tracked and reported by every court. To allow for consistent analysis, case types and sub-types have been carefully defined. Common guidelines concerning what constitutes a case and when to count a case as being filed and disposed have also been developed for each type of case. Other issues, such as how to consistently report temporary protection orders, support decree changes, or modifications have been reflected in the caseload inventories and accompanying definitions. Finally, every court must ensure that the agreed upon definitions, rules, and guidelines are carefully followed. A court should be able to assign a case to a particular case type and sub-type within the court's case management system.

For this *Dictionary* to bring together accurate statistics across all courts, standardized terminology becomes extremely important. All courts must use the same definitions and follow the same guidelines when disposing cases. For example, one court might count a case as "adjudicated" when the defendant is fined and sentenced, while another court considers the case "adjudicated" when the terms of sentence have been satisfied. When trying to compare statistics on "adjudicated" cases, the data supplied by the two courts would yield incomparable results.

Manners of disposition for each case type also have been defined in the *Dictionary*. Having all courts follow the established guidelines when disposing of cases will provide accurate statistics concerning manners of disposition. Disposing of cases in consistent manners becomes an important by-product of the court's case management system.

Full implementation of the court statistical *Dictionary* brings the Nevada judiciary one step closer to the Uniform System for Judicial Records. Through the application of a minimum level of technology, appropriate case management systems will be employed in the courts allowing them to collect and report court and case information to the Supreme Court and other appropriate state, local, and federal agencies.

## Chapter 1 – Criminal and Civil Infraction Section

### Criminal Case Category, Case Subcategories, and Case Type Definitions

#### Criminal and Civil Infraction Case

A broad classification category for trial court case-load that includes cases involving the alleged violation of a state law, local ordinance, or federal regulation (traffic only).

Cases within the Criminal and Civil Infraction category are reported by District, Justice, and Municipal Courts.

This category summarizes the following subcategories (see page 2 for details):

- Felony Case
- Gross Misdemeanor Case
- Misdemeanor (Non-traffic) Case
- Appeal from Limited Jurisdiction Courts Case
- Traffic and Civil Infraction Case

For all cases in this section, the unit of count is a single defendant or appealed matter. For cases where multiple charges are involved, courts will use the hierarchy (described on page 10) when classifying the case for statistical purposes.

Filings in District Court are counted when the court receives the formal charging document, generally an information or indictment, from the District Attorney's Office.

Felony and gross misdemeanor filings in Justice Court are counted when the court receives the formal charging document, generally a complaint or citation, from the District Attorney's Office or law enforcement agency. Additional charges such as failure to appear or habitual criminal are not counted at this time because those are added after the initial charging document.

Misdemeanor, traffic, and civil infraction filings in Justice and Municipal Courts are counted when the charging document (e.g., citation or complaint) is received by the court. Courts may elect to use the date on the citation as the filing date.

Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

Matters that occur prior to the filing of a complaint, citation, information, or indictment (e.g. arrest reports, custody hearings, determining probable cause, or bindover information) should be maintained in the court's system for complete and accurate record keeping, as well as to populate some additional caseload statistics (see pages 5-9). Later if a complaint, citation, information, or indictment is filed, the case should be counted as a new filing in the subcategories and case types listed below.

**Felony Case:** A subcategory in which a defendant is charged with the violation of a state law(s) that involves an offense punishable by death or imprisonment in the state prison. Felony probation violations are counted with reopened cases and reopened dispositions.

**Gross Misdemeanor Case:** A subcategory in which a defendant is charged with the violation of state laws that involve offenses that do not fit within the definitions for a felony, misdemeanor, traffic, or civil infraction case. Attempt of, or conspiracy to, commit felony offenses are sometimes charged as gross misdemeanor offenses (e.g., NRS 193.330 or NRS 199.480).

**Misdemeanor (Non-traffic) Case:** A subcategory in which a defendant is charged with the violation of state laws and/or local ordinances that involve offenses punishable by fine or incarceration or both, the upper limits of which are prescribed by statute (NRS 193.120, generally set as no more than 6 months incarceration and/or \$1,000 fine).

## **Criminal Case Category, Subcategory, Type, and Proceeding Listing**

### **Criminal Case:**

#### Felony Case

- Crimes Against Person(s) Case
- Domestic Violence Case
- Older/Vulnerable Person(s) Abuse Case
- Child Abuse and Neglect Case
- Protection Order Violation Case
- Crimes Against Property Case
- Drugs Case
- Weapons Case
- Public Order Case
- Motor Vehicle – DUI Case
- Motor Vehicle – Reckless Driving Case
- Motor Vehicle – Other Case
- Other Felony Case

#### Gross Misdemeanor Case

- Crimes Against Person(s) Case
- Domestic Violence Case
- Older/Vulnerable Person(s) Abuse Case
- Child Abuse and Neglect Case
- Protection Order Violation Case
- Crimes Against Property Case
- Drugs Case
- Weapons Case
- Public Order Case
- Motor Vehicle – Other Case
- Other Gross Misdemeanor Case

#### Misdemeanor (Non-traffic) Case

- Crimes Against Person(s) Case
- Domestic Violence Case
- Older/Vulnerable Person(s) Abuse Case
- Protection Order Violation Case
- Crimes Against Property Case
- Drugs Case
- Weapons Case
- Public Order Case
- Motor Vehicle – DUI Case
- Motor Vehicle – Reckless Driving Case
- Other Misdemeanor Case

#### Criminal Appeal from Ltd. Jurisdiction Court Case

#### Civil Infraction Appeal from Ltd. Jurisdiction Court Case

#### Traffic and Civil Infraction Case

- Traffic, Misdemeanor Case
- Traffic, Civil Infraction Case
- Parking Case
- Other Civil Infraction Case

### **Additional Criminal Caseload Statistics:**

- Contested Civil Infraction Hearings
- Bench (Non-Jury) Trials
- Jury Trials
- DV Misdemeanor Charges (District Court Only)

### **Death Penalty (Rule 250) Statistics:**

- Notice of Intent to Seek Death Penalty Filed
- Notice of Intent to Seek Death Penalty Withdrawn
- Death Penalty Imposed

### **Mental Competency Statistics:**

- Orders for Mental Competency Evaluation
- Mental Competency Hearing
- Findings of Incompetence

### **Court Interpreter Statistics:**

- Cases with Court Interpreters
- Languages Used by Party
  - Spanish
  - Tagalog
  - Chinese (Mandarin/Cantonese)
  - American Sign Language
  - Other Languages

### **Additional Criminal Proceedings:**

- Extraordinary Writ
- Search Warrant (includes wire taps, pen registers)
- Pre-trial Custody Hearing
- Probable Cause Findings/Hearing
- Extradition Hearing
- 72-Hour Hearing
- Arrestment Hearing
- Preliminary Hearing
- Sentencing Hearing
- Grand Jury Proceeding
- Post-Adjudication Criminal Case Activity
  - Remanded Criminal Cases
  - Request for Modification of Sentence
  - Sentencing Violation
  - Post-Conviction Relief
- Preliminary Hearing Continuances
  - Court need
  - Prosecution request
  - Defendant request (pro per)
  - Defense attorney request
  - Other
- Trial Continuances
  - Court need
  - Prosecution request
  - Defendant request (pro per)
  - Defense attorney request
  - Other

Felony, Gross Misdemeanor, and Misdemeanor cases are further defined by the following case types:

- Crimes Against Person(s) Case
- Domestic Violence Case
- Older/Vulnerable Person(s) Abuse Case
- Child Abuse and Neglect Case
- Protection Order Violation Case
- Crimes Against Property Case
- Drugs Case
- Weapons Case
- Public Order Case
- Motor Vehicle – DUI Case
- Motor Vehicle – Reckless Driving Case
- Motor Vehicle – Other Case
- Other Criminal Case

**Crimes Against Person(s) Case:** A case type in which a defendant is charged with a crime against person(s). Examples include: assault, battery, rape, kidnapping, murder, manslaughter, and robbery. These crimes are classified and defined by the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) Program (<https://ucr.fbi.gov/>).

NRS 200 (Crimes against the person) also defines some of the crimes that are counted in this case type.

Crimes Against Person(s) case type should not include domestic violence, older/vulnerable persons, child abuse and neglect, and protection order violations as these are counted as separate case types.

**Domestic Violence Case:** A case type involving violence, coercion, or intimidation by a family or household member against another family or household member that results in the filing of criminal charges (e.g., NRS 171.137). Family or household members may include (a) persons who are current or former spouses; (b) persons who live together or have lived together; (c) persons who are dating or who have dated; (d) persons who are engaged in, or have engaged in, a sexual relationship; (e) persons who are related by blood or adoption; (f) persons who are related or formerly related by marriage; (g) persons who have a child in common; and (h) minor children of a person in a relationship that is described in paragraphs (a) through (g). Counting cases within the domestic violence category means the victim-offender relationship was known at the time of filing or disposition.

**Older/Vulnerable Person(s) Abuse Case:** A case type that involves a charge of abusing, neglecting, exploiting, or isolating older or vulnerable persons (e.g., NRS 193.167, 200.5092, 200.5099).

Older/vulnerable person(s) abuse cases include offenses of physical abuse, sexual abuse, psychological abuse, neglect, abandonment and isolation, financial or fiduciary abuse, and self-neglect. *Physical abuse* is generally defined as improper use of physical force that may or does result in bodily harm, injury, physical pain, or restraint of an individual. *Sexual abuse* is any non-consensual sexual touching or contact with a person who is incapable of giving consent (e.g., a mentally disabled individual). *Psychological abuse* is the intentional or reckless infliction of psychological pain, injury, suffering, or distress through verbal or nonverbal acts. *Neglect* is the failure to provide for the care and treatment or safety of a person. *Abandonment* is the desertion of a person by an individual responsible for providing care or by a person with physical custody of a person. *Financial or fiduciary abuse* is the illegal or improper use of a person’s funds, property, or assets, or the conversion or misappropriation of such property, for uses other than for the person. *Self-neglect* is behavior of a person that threatens his/her own health or safety.

**Child Abuse and Neglect Case (*felony and gross misdemeanor only*):** A case type in which a defendant is charged with willfully causing, or permitting (if the person charged has responsibility for the child) a child who is less than 18 years of age to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect, or to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect (e.g., NRS 200.508).

**Protection Order Violation Case:** A case type alleging violation of a court order that was issued to protect an individual from domestic violence, stalking, harassment in the workplace, or to protect minors from harm (e.g., NRS 33.100, 33.400, 33.350, and 200.591).

**Crimes Against Property Case:** A case type in which a defendant is charged with a crime against property. Examples include grand larceny, burglary, auto theft, arson, forgery, fraud, embezzlement, van-

dalism, and bad checks. These crimes are classified and defined by the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) Program (<https://ucr.fbi.gov/>).

NRS 205 (Crimes against property) also defines some of the crimes that are counted in this case type.

**Drug Case:** A case type involving the illegal possession, sale, use, manufacture, trafficking, or furnishing of drugs (e.g., NRS chapters 453, 454, 458). The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics (Demerol, Methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine). These crimes are classified and defined by the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) Program (<https://ucr.fbi.gov/>).

**Weapon Case:** A case type involving violations of regulations or statutes controlling the carrying, using, possessing, furnishing, and manufacturing of deadly weapons or silencers (e.g., NRS 193.165, NRS 202.370-202.440). These crimes are classified and defined by the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) Program (<https://ucr.fbi.gov/>).

**Public Order Case:** A case type typically involving violations of liquor laws, drunkenness, disorderly conduct, vagrancy, and commercial vice. Some jurisdictions refer to these as “public nuisance” or “quality of life” offenses, or “crimes against society.”

**Motor Vehicle – DUI Case (*felony and misdemeanor only*):** A case type that involves a charge of driving under the influence of either alcohol or drugs (DUI), or driving while impaired (e.g., NRS 484C.110-484C.130). The Uniform Crime Reporting definition includes “driving or operating any vehicle or common carrier while drunk or under the influence of liquor or narcotics.” Causing the death of, or substantial bodily harm to, a person while driving under the influence, or committing a third or subsequent DUI offense are felonies. Additionally, once a defendant has been convicted of felony DUI, they are always charged as a felon for DUIs in Nevada.

**Motor Vehicle – Reckless Driving Case (*felony and misdemeanor only*):** A case type that involves a charge of driving a motor vehicle in such a way as to willfully or wantonly endanger the safety of others or with disregard for the consequences (e.g., NRS 484B.653). For felony charges, reckless driving includes death or substantial bodily harm to another person.

**Motor Vehicle – Other Case (*felony and gross misdemeanor only*):** A case type including cases of unknown specificity or cases not attributable to one of the other previously defined motor vehicle case types (DUI and Reckless Driving).

Motor Vehicle – Other misdemeanor cases are reported in the Traffic case type.

**Other Criminal Case:** A case type including cases of unknown specificity or cases not attributable to one of the other previously defined case types.

**Appeal from Limited Jurisdiction Court Case:**

A case category in which the District Court reviews on appeal the judgment of a criminal case heard in Justice or Municipal Court. Appeals from limited jurisdiction courts are reported by District Courts. Charges are not reported for this case types.

- Criminal Appeal from Limited Jurisdiction. Court Case
- Civil Infraction Appeal from Limited Jurisdiction Court Case

**Criminal Appeal from Limited Jurisdiction Court**

**Case:** A case type in which the District Court reviews on appeal the judgment of a criminal case heard in District Courts include appeals of limited jurisdiction courts where cases appealed include felony, gross misdemeanor, or misdemeanor case types. The filing of a notice of appeal in the District Court having incidental appellate jurisdiction of the limited jurisdiction criminal matter should be considered the beginning of an appeal case—the unit being counted. If the notice of appeal in an appellate court case is filed in the limited jurisdiction court, do not count it as an appeal case in the limited jurisdictions court.

**Civil Infraction Appeal from Limited Jurisdiction Court Case:** A case type in which pursuant to NRS 484A the District Court reviews on appeal the judgment of a civil infraction case heard in Justice or Municipal Court. Appeals from limited jurisdiction courts are reported by District Courts.

Civil infraction case appeals heard in District Courts include appeals of limited jurisdiction courts involving civil infraction matters only. The filing of a notice of appeal in the District Court having incidental appellate jurisdiction of the limited jurisdiction criminal matter should be considered the beginning of an appeal case—the unit being counted. If the notice of appeal in an appellate court case is filed in the limited jurisdiction court, do not count it as an appeal case in the limited jurisdictions court.

**Traffic and Civil Infraction Case:** A case subcategory in which a defendant is charged with traffic or civil violations of state laws, local ordinances, or federal regulations that involve offenses punishable by fine and/or incarceration (misdemeanors only). Civil infractions are not criminal offenses.

For misdemeanor offenses, the upper limits prescribed by statute (NRS 193.120) generally are set as no more than 6 months incarceration and/or \$1,000 fine. Civil infractions are generally prescribed with a maximum civil penalty of \$500 (NRS 484A.7043).

Traffic and civil infraction cases are further defined by the following case types:

- Traffic, Misdemeanor Case
- Traffic, Civil Infraction Case
- Parking Case
- Other Civil Infraction Case

**Traffic, Misdemeanor Case:** A case type for Justice and Municipal Courts involving misdemeanor offenses of traffic laws that do not pertain to the parking of a motor vehicle in violation of a law or ordinance. Includes motorized watercraft and aircraft violations.

**Traffic, Civil Infraction Case:** A case type for Justice and Municipal Courts involving civil infractions of traffic laws that do not pertain to the parking of a motor vehicle in violation of a law or ordinance. Includes motorized watercraft and aircraft violations.

**Parking Case:** A case type that involves the parking of a motor vehicle in violation of a traffic law or ordinance. Examples include illegally parking in a fire or no-parking zone and parking on the wrong side of the roadway. Includes both misdemeanor and civil infraction offenses.

**Other Civil Infraction Case:** A case type that involves all civil infractions not pertaining to traffic or parking matters. Examples include vocational (e.g., NRS 442.010, AB192), pedestrian (AB403), and other non-traffic violations.

## **Additional Criminal Caseload Statistics**

To better understand the workload of the courts, it is useful to capture some additional data from all courts regarding criminal cases. The following additional statistical measurements are included in the USJR worksheets:

- Contested Civil Infraction Hearings
- Bench Trials
- Jury Trials
- DV Misdemeanor Charges (District Court Only)

**Contested Civil Infraction Hearings:** The number of hearings initiated during the specified reporting period for contested civil infractions.

A contested civil infraction hearing is counted when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first. If the accused person fails to appear to the contested hearing or changes their plea prior to the hearing being held, the hearing should not be reported.

**Bench Trials:** The number of bench (non-jury) trials initiated during the specified reporting period for criminal cases. A bench trial is a trial in which the judge decides both questions of facts and questions of law to resolve the case by trial.

A bench (non-jury) trial is counted when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first. Each retrial is counted as a separate trial. If a defendant changes their plea prior to the bench trial being held, a bench trial should not be counted.

**Jury Trials:** The number of jury trials initiated during the specified time for criminal cases. A jury trial is counted when the jury panel has been sworn, regardless of whether a verdict is reached. Each retrial is counted as a separate trial. If a defendant changes their plea prior to the jury trial being held, a jury trial should not be counted.

**Domestic Violence Misdemeanor Charges (District Court Only):** The number of DV misdemeanor charges filed in the District Court when a battery which constitutes domestic violence and is punishable as a misdemeanor pursuant to NRS 200.485, must be charged in the same indictment or information in District Court with other felony or gross misdemeanor charges if the (misdemeanor) battery is based on the same act. (See NRS 173.115). Count the charge when an original information or indictment is filed.

### **Death Penalty (Rule 250) Statistics**

**Filing of Notice of Intent (NOI) to Seek Death Penalty:** The number of defendants for which the District Attorney’s Office has filed the notice of intent to seek the death penalty, in accordance with Supreme Court Rule 250.

**Withdrawal of Notice of Intent (NOI) to Seek Death Penalty:** The number of defendants for which the District Attorney’s Office has withdrawn the notice of intent to seek the death penalty, in accordance with Supreme Court Rule 250.

**Imposition of Death Penalty:** The number of defendants for which the death penalty was imposed by the jury, in accordance with Supreme Court Rule 250.

### **Mental Competency Statistics**

**Orders for Mental Competency Evaluation:** A count of orders or appointments by the Court for a qualified examination of the defendant to evaluate the defendant’s level of competence pursuant to NRS 178.415.

The unit of count for orders for mental competency evaluation is the order by the court for the appointment of a qualified individual to conduct the mental

competency examination. A request from a limited jurisdiction court for a mental competency determination in a District Court should be counted as a Civil Mental Competency case.

Orders for Mental Competency Evaluations can be reported by Municipal, Justice, and District Courts pursuant to NRS 178.415.

**Mental Competency Hearing:** A type of court proceeding, before a judicial officer, in which the court reviews the examination of a defendant charged in an existing criminal case, or in which the court makes a determination of the competency matter in an existing criminal case.

The unit of count for mental competency hearings is an individual hearing. Mental competency hearings are counted when the hearing is held.

Mental Competency hearings can be reported by Municipal, Justice, and District Courts pursuant to NRS 178.415.

**Findings of Incompetence:** A summary count of findings of incompetence entered by the court, after the court receives a report from a qualified individual who examined the defendant charged in an existing criminal case for competence, pursuant to NRS 178.425.

The unit of count for findings of incompetency is a court order or finding that the defendant is incompetent, regardless of the court’s finding resulting in the defendants commitment to a facility to receive treatment.

Findings of Incompetence can be reported by Municipal, Justice, and District Courts pursuant to NRS 178.425.

### **Court Interpreter Statistics**

**Cases with Court Interpreters:** The number of disposed cases during the reporting period that involved the use of a court interpreter at any time during the life of the case.

**Languages Used by Party:** The following languages, counted by requesting party, should also be tracked for court interpreter statistics:

- Spanish
- Tagalog
- Chinese (Mandarin/Cantonese)
- American Sign Language
- Other Languages

See appendix A for additional information on this measurement.

### **Additional Criminal Proceedings**

**Criminal Proceeding:** A broad classification category for trial court caseload inventory that includes criminal proceedings that are not considered cases. Criminal proceedings are defined as major events (as defined in this *Dictionary*) related to an already filed (counted) case or that will not result in an official case filing.

Criminal proceedings includes the following:

- Extraordinary Writ
- Search Warrant Request (includes wire taps and pen registers)
- Pre-trial Custody Hearing
- Probable Cause Finding/Hearing
- Extradition Hearing
- 72-Hour Hearing
- Arraignment Hearing
- Preliminary Hearing
- Sentencing Hearing
- Grand Jury Proceeding
- Post-Adjudication Criminal Case Activity
  - Remanded Criminal Cases
  - Request for Modification of Sentence
  - Sentencing Violation
  - Post-Conviction Relief
- Preliminary Hearing Continuances
  - Court need
  - Prosecution request
  - Defendant request (pro per)
  - Defense attorney request
  - Other
- Trial Continuances
  - Court need
  - Prosecution request
  - Defendant request (pro per)
  - Defense attorney request
  - Other

For criminal proceedings, only record that the proceedings occurred. No dispositions are recorded.

**Extraordinary Writ:** A type of criminal proceeding involving any one of a group of prerogative writs requested by a party, which if granted, provides an extraordinary remedy to the petitioner. Examples are writs of *mandamus*, *quo warranto*, *habeas corpus*, and several others that are termed “extraordinary remedies.” Also include Uniform Act to Secure Attendance of Witnesses from Without the State in Criminal Proceedings (out-of-state witness) in this category.

The unit of count for extraordinary writs is a single defendant, regardless of the requested relief(s) sought. Extraordinary writ filings are counted when the initiating document (e.g., petition) is received by the court. Only count extraordinary writs that are associated with an existing criminal case and out-of-state witness proceedings not associated with an existing case. Writs that are filed and not associated in an existing case should be filed in the appropriate civil writ case type.

Extraordinary writs are reported by District Courts.

**Search Warrant Request** (includes wire taps and pen registers): A type of criminal proceeding involving a request for a search warrant, including wire taps and pen registers. Do **not** include inspection warrants.

The unit of count for search warrants is a single defendant, regardless of the number of charges involved. Search warrant requests are counted when the initiating document (e.g., request and declaration in support thereof) is received by the court. Count one search warrant event for each search warrant requested whether granted or not.

Search warrant requests are reported by District, Justice, and Municipal Courts.

**Pre-trial Custody Hearing:** A type of criminal proceeding that must be held within 48 hours after a person has been taken into custody to determine the custody status of the person (See NRS 178). Pre-trial Custody Hearings are counted when the hearing is conducted.

**Probable Cause Finding/Hearing:** A type of criminal proceeding in which evidence is presented so that the court can determine whether evidence is sufficient for a defendant to be brought before a magistrate.

The unit of count for probable cause hearings is an individual finding or hearing, regardless of the number of defendants involved. Probable cause findings/hearings are counted when the finding is made or the hearing is conducted.

Probable cause findings/hearings are reported by Justice and Municipal Courts.

**Extradition Hearing:** A type of criminal proceeding before a court in which evidence is presented so that the court can determine if a defendant should be surrendered to another state jurisdiction.

The unit of count for extradition hearings is an individual hearing, regardless of the number of defendants involved. Extradition hearings are counted when the hearing is conducted.

Extradition hearings are reported by District, Justice, and Municipal Courts.

**72-Hour Hearing:** A type of criminal proceeding where, under NRS 171.178, a peace officer making an arrest on an arrest warrant, fugitive warrant, or without a warrant must take the arrested person “without unnecessary delay” before the magistrate who issued the warrant or the nearest available magistrate. Specifically, the arrested person must be brought before the magistrate within 72 hours after arrest, excluding non-judicial days.

The unit of count for 72-hour hearings is an individual hearing. The 72-hour hearings are counted when the hearing is conducted.

The 72-hour hearings are reported by Justice and Municipal Courts.

**Arraignment Hearing:** A type of criminal proceeding involving a hearing in open court that consists of reading the indictment, information, or complaint to the defendant or stating to him the substance of the charge and calling on him to plead thereto as noted in NRS 174.015. The defendant shall be given a copy

of the indictment, information, or complaint before entering a plea. Count each arraignment hearing once, regardless of the number of charges involved. Arraignments are counted when the arraignment hearing is conducted.

Arraignment hearings are reported by District, Justice, and Municipal Courts.

**Preliminary Hearing:** A type of criminal proceeding involving a hearing before a Justice Court in which evidence is presented so that the court can determine whether evidence is sufficient to bind the defendant over to District Court for trial.

Count each preliminary hearing once, regardless of the number of defendants or charges involved. Preliminary hearings are counted when the hearing is conducted. Preliminary hearings are reported by Justice Courts.

**Sentencing Hearing:** A type of criminal proceeding involving a hearing to pronounce sentence on a defendant.

Count each sentencing hearing once, regardless of the number of charges involved. Sentencing hearings are counted when the sentencing is conducted.

A hearing that ends with a sentence imposed should be counted as a sentencing hearing (example: if an arraignment hearing is scheduled, and the hearing results in a plea being accepted with sentence imposed, then courts should only report a sentencing hearing).

Sentencing hearings are reported by District, Justice, and Municipal Courts.

**Grand Jury Proceeding:** A type of other criminal proceeding involving a criminal grand jury.

The unit of count for grand jury proceedings is a single proceeding, regardless of the number of defendants or charges involved. Grand jury proceedings are counted when the proceeding is initiated.

Grand jury proceedings are reported by District Courts.

**Post-Adjudication Criminal Case Activity:** A type of other criminal proceeding involving a proceeding before a court in which the court is asked to hear a matter concerning an already adjudicated case. These actions are often associated with the caseload *Reopened* measure (see page 11).

Post-adjudication criminal case activity is a summary category that includes the following sub-types:

- Remanded Criminal Cases
- Request for Modification of Sentence
- Sentencing Violation
- Post-Conviction Relief

Post-adjudication activities are reported by District, Justice, and Municipal Courts.

**Remanded Criminal Cases:** The number of criminal cases remanded back from the District or Supreme Court to the originating court requiring corrective or additional action by a judicial officer after an appeal during the specified reporting period.

**Request for Modification of Sentence:** A type of post-adjudication criminal activity involving a motion to modify a sentence (usually from a defendant).

The unit of count for modification of sentence is a single defendant, regardless of the number of charges involved. Modification of sentence filings are to be counted when the initiating document (e.g., motion) is received by the court.

Modifications are reported by District, Justice, and Municipal Courts.

**Sentencing Violation:** A type of post-adjudication activity requiring judicial review to address alleged violations of sentencing conditions.

Sentencing violations includes motions to revoke probation (e.g., from the Department of Parole and Probation), failure to comply with sentencing conditions (e.g., for misdemeanor offenses), failure

to pay (e.g., for traffic cases), failure to appear (e.g., for post-adjudication status hearings), or other actions requiring judicial review of alleged violations of sentencing terms or suspended sentence conditions.

Adjudicated cases should be *Reopened* before recording a *Placed on Inactive Status* count to issue warrants due to non-compliance (typically due to failure to comply or appear).

Sentencing violations are reported by District, Justice, and Municipal Courts.

**Post-Conviction Relief:** A type of post-adjudication activity involving a petition for post-conviction relief (prisoner requests court to vacate or correct sentence) filed on behalf of the defendant.

The unit of count for post-conviction relief is a single defendant, regardless of the number of charges involved. Post-conviction relief filings are counted when the initiating document (e.g., petition) is received by the court.

Post-conviction relief is reported by District, Justice, and Municipal Courts.

**Preliminary Hearing Continuances:** The number of continuances in the scheduled preliminary hearing date granted on an application by one of the parties or ordered by the court in a criminal case. The courts are to record who requested the continuance (court need, prosecution request, defendant request, defense attorney request, or other). If the request was stipulated to or made by both parties use the other category.

**Trial Continuances:** The number of continuances in the scheduled trial date granted on an application by one of the parties or ordered by the court in a criminal case. The courts are to record who requested the continuance (court need, prosecution request, defendant request, defense attorney request, or other). If the request was stipulated to or made by both parties use the other category.

## **Caseload Inventory and Time Measures**

Statistics on caseload inventory for criminal cases record the number of cases filed during a specific period, broken out by case subcategory and case type.

Caseload time measures are essential for tracking cases potentially requiring court action, as well as assessing current court business process for how long it takes to resolve matters at the court.

### **Unit of Count**

For felony, gross misdemeanor, and misdemeanor (non-traffic) criminal cases, the unit of count is a single defendant. For defendants in cases whereby multiple charges are involved, courts will utilize a hierarchy (described below) when classifying the case for statistical purposes. For example, if a defendant is charged on a single complaint with a “felony – crime against person(s)” and a “gross misdemeanor – crime against person(s),” for statistical purposes, the case is counted as a “felony – crime against person(s).”

For traffic and civil infraction cases, the unit of count is a single case (by defendant) based on an original charging document from a single incident.

No new case filing is reported for an amended criminal complaint/information. Civil contempt charges associated with failure to appear/comply or similar civil contempt matters are not counted (at this time) nor are outside warrants. Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

Courts are required to submit dispositions at the charge or count level to DPS or DMV as appropriate.

The hierarchy used for reporting criminal filings for multi-charge cases for the same defendant is:

#### **FELONY CASE**

1. Crime Against Person(s) Case
2. Domestic Violence Case
3. Older/Vulnerable Person(s) Abuse Case
4. Child Abuse and Neglect Case
5. Protection Order Violation Case
6. Crime Against Property Case
7. Drugs Case
8. Weapons Case
9. Public Order Case
10. Motor Vehicle - DUI Case
11. Motor Vehicle - Reckless Driving Case
12. Motor Vehicle - Other Case
13. Other Felony Case

#### **GROSS MISDEMEANOR CASE**

14. Crime Against Person(s) Case
15. Domestic Violence Case
16. Older/Vulnerable Person(s) Abuse Case
17. Child Abuse and Neglect Case
18. Protection Order Violation Case
19. Crime Against Property Case
20. Drugs Case
21. Weapons Case
22. Public Order Case
23. Motor Vehicle - Other Case
24. Other Gross Misdemeanor Case

#### **MISDEMEANOR (NON-TRAFFIC) CASE**

25. Crime Against Person(s) Case
26. Domestic Violence Case
27. Older/Vulnerable Person(s) Abuse Case
28. Protection Order Violation Case
29. Crime Against Property Case
30. Drugs Case
31. Weapons Case
32. Public Order Case
33. Motor Vehicle - DUI Case
34. Motor Vehicle - Reckless Driving Case
35. Other Misdemeanor Case

#### **TRAFFIC AND CIVIL INFRACTION CASE**

36. Traffic, Misdemeanor Case
37. Traffic, Civil Infraction Case
38. Parking Case
39. Other Civil Infraction Case

## **Caseload Inventory Definitions**

**Begin Pending - Active:** A count of cases that, at the start of the reporting period, are awaiting disposition.

**Begin Pending - Inactive:** A count of cases that, at the start of the reporting period, have been administratively classified as inactive.

**New Filings:** A count of cases (by defendant) that have been filed with the court for the first time. Criminal filings are counted when the court receives the formal charging document, generally an information, indictment, or complaint from the District or City Attorney's Office.

*This caseload measure initiates calculation for time measures defined on page 13.*

Felony and gross misdemeanor filings in Justice Court are counted when the court receives the formal charging document, generally a complaint or citation, from the District Attorney's Office or law enforcement agency. Misdemeanor, traffic, and civil infraction filings in Justice and Municipal Courts are counted when the charging document (e.g., citation or complaint) is received by the court. Courts may elect to use the date on the citation as the filing date.

**Charges:** A count of each charge on the information, indictment, complaint, or citation for cases that have been filed with the court for the first time. Charge counts should only include the charges listed in the original charging document received by the court. Amended charges should not be reported for this measurement.

For example, if a defendant is charged with domestic violence, drugs, and reckless driving, the case/defendant is counted once in new filing under domestic violence and the charges are each counted on the charge line under the appropriate columns, for example, domestic violence, drugs, and motor vehicle - reckless driving.

Courts are encouraged to utilize the Nevada Offense Codes (NOCs) maintained by Department of Public Safety for charge categorizations. Generally, when multiple elements are present in a single alleged charge (e.g., domestic violence and protection order

violation), NOCs are categorized according to the elements applicable to the hierarchy described on page 10 (e.g., domestic violence). Courts that do not utilize NOCs should also utilize this methodology when classifying offenses by statute.

**Reopened:** A count of cases in which judgments have previously been entered but post-adjudication activity has restored it to the court's active pending caseload due to judicial order or through request or motion, to modify, correct, or enforce the existing judgments (*see examples on page 15*). Remanded cases (requiring modification or correction) are included. When a reopened case is disposed of, report the disposition as a Reopened Disposition (*see page 12*).

*This caseload measure initiates calculation for time measures defined on page 13.*

**Reactivated:** A count of cases that had previously been placed in an inactive pending status, but for which further court proceedings and activities can now be resumed so that the case can proceed to disposition. *Such circumstances are defined in the Events section on page 15.*

*This caseload measure resumes calculation for time measures defined on page 13.*

**Dispositions - Entry of Judgment:** Dispositions are reported under the two disposition subcategories: original or reopened. For cases involving multiple charges the manner of disposition should not be reported until all charges have been resolved. The sum of the original and reopened disposition subcategories on the caseload worksheet should equal the grand total dispositions on the disposition worksheet for each case type.

*These caseload measures end calculation for time measures defined on page 13.*

**Dispositions - Original:** A count of cases for which an original entry of judgment has been filed. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues, including amended charges, have been resolved.

**Dispositions - Reopened:** A count of cases that were disposed of by a modification to, correction of and/or enforcement of, the original judgment of the court. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

**Placed on Inactive Status:** A count of cases whose status has been administratively changed to inactive because the court will take no further action in the case until an event restores the case to the court's active pending caseload. *This caseload measure suspends calculation for time measures defined on page 13.*

Typical examples of this status include court-ordered stays (excluding federal bankruptcy), warrants, and pre-adjudication diversion. *Such circumstances are defined in the Events section on page 15.*

**End Pending - Active:** A count of cases that, at the end of the reporting period, are awaiting disposition.

**End Pending - Inactive:** A count of cases that, at the end of the reporting period, have been administratively classified as inactive.

**Set for Judicial Review:** A count of cases at the end of each month that, following an Entry of Judgment, are awaiting a regularly scheduled review by a judicial officer (in chambers or by hearing) during the reporting period.

Example: After a felony case is adjudicated, the court sets a regular status review hearing (or review) to monitor compliance with sentencing conditions. The case would be counted in Set for Judicial Review once each month until the last status review is held, until the status review is cancelled, or the case is reopened.

This count is not intended to count the number of hearings held/scheduled but instead the number of adjudicated cases scheduled for judicial review.

**Self-Represented Litigant:** A count of cases that had one or more parties self-represented at any time during the life of the case. This measure is reported when the Dispositions - Entry of Judgment measure is reported. *See appendix A for additional information on this measurement.*

## **Caseload Time Measures Definitions**

**Age of Active Pending Caseload:** The number of active cases that are pending before the court, reported in defined time periods and measured in days, for each case type.

Original proceedings should use the following time periods:

- 0 - 90 days
- 91 - 180 days
- 181 - 365 days
- >365 days

Reopened proceedings should use the following time periods:

- 0 - 60 days
- 61 - 180 days
- > 180 days

The time frame for original proceedings begins at the date of recording the New Filing caseload inventory statistic until the date of this measurement.

The time frame for reopened proceedings begins at the date of recording the Reopened caseload inventory statistic until the date of this measurement.

Cases that are reopened do not include the time for previously resolved reopened events. Additionally, the time required between the New Filing and Dispositions - Original caseload inventory measures are not included for reopened proceedings.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic is not part of calculating the Age of Active Pending Caseload measurement.

The total number of cases reported in the Age of Active Pending Caseload measure should equal the number of cases reported in the End Pending - Active Caseload Inventory measures for each case type.

**Time to Disposition:** Cases disposed or otherwise resolved during the reporting period generate two time measures: the mean and median number of days to reach disposition. The two time to disposition time measures are reported for each case type and are distinctly separated by original and reopened proceedings.

The time frame begins at the date of recording the New Filing caseload inventory statistic and ends at the date of recording the Dispositions - Original caseload inventory statistic.

For reopened cases, the time frame begins at the date of recording the Reopened caseload inventory statistic and ends at the date of recording the Dispositions - Reopened caseload inventory statistic. Time measures for reopened cases are independent from original proceedings and previously disposed reopened events.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic should not be included in calculating the Time to Disposition measurements.

The total number of cases generating the time to disposition measurement should be distinctly separated by original and reopened proceedings and reflect the total number of cases disposed during the reporting period, respectively.

The following example and formulas refer to the USJR data provided in the monthly worksheets submitted to the AOC. The examples below are also used in the End Pending - Active and - Inactive Caseload calculations on the right.

The following formulas can be used for all case types. The name of each status type is listed with its corresponding line identifier in parentheses. The formulas are provided using both the status field name and line identifier and as the line identifier alone (bottom).

**Example Data**

1	Begin Pending	
	a Active	50
	b Inactive	15
2	New Filings	111
	a Charges	157
3	Reopened	14
4	Reactivated	23
5	Dispositions (Entry of Judgment)	
	a Original	106
	b Reopened	17
6	Placed on Inactive Status	42
7	End Pending	
	a Active, Total	33
	b Inactive, Total	34
8	Set for Judicial Review	151
9	Age of Active Pending Caseload	
	a Original, 0 - 90 days	22
	b Original, 91 - 180 days	1
	c Original, 181 - 365 days	2
	d Original, >365 days	1
	e Reopened, 0 - 60 days	6
	f Reopened, 61 - 180 days	1
	g Reopened, >180 days	0
10	Time to Disposition	
	a Original, Mean Number of Days	28
	b Original, Median Number of Days	23
	c Reopened, Mean Number of Days	35
	d Reopened, Median Number of Days	34
11	Self-Represented Litigant	18

**End Pending - Active Caseload Calculation**

Begin Pending - Active (1a)	50
+New Filings (2)	111
+Reopened (3)	14
+Reactivated (4)	23
	<hr/> 198
MINUS (-)	
Original Dispositions (5a)	106
+Reopened Dispositions (5b)	17
+Placed on Inactive Status (6)	42
	<hr/> 165
End Pending - Active, Total (7a)	<hr/> <hr/> 33

**End Pending - Inactive Caseload Calculation**

Begin Pending - Inactive (1b)	15
+Placed on Inactive Status (6)	42
	<hr/> 57
MINUS (-)	
Reactivated Cases (4)	23
	<hr/> 23
End Pending - Inactive, Total (7b)	<hr/> <hr/> 34

or row (7a) = {(1a)+(2)+(3)+(4)} - {(5a)+(5b)+(6)}  
 = [50+111+14+23] - [106+17+42]  
 = 198 - 165  
 = 33

row (7b) = {(1b)+(6)} - {(4)}  
 = [15+42] - [23]  
 = 57 - 23  
 = 34

## **Events in Criminal Case Processing**

Statistics indicating what events occurred in individual criminal cases during a specified period. Events are listed by the status of caseload inventory (see pages 11-12). Tracking case events is useful for monitoring court caseload.

### **Count**

If a case has not been disposed at the end of the period it should be counted in End Pending and as Begin Pending in the subsequent period. Inactivated or Reactivated status for both pending categories is determined by the administratively decided triggering events listed below.

**Date of Filing (District Courts):** The date on which the court receives the formal charging document, generally an information or indictment, from the District Attorney's Office.

**Date of Filing (Justice Courts - Felony and Gross Misdemeanor only):** The date on which the court receives the formal charging document, generally a complaint or citation, from the District or City Attorney's Office or law enforcement agency.

**Date of Filing (Justice and Municipal Courts - Misdemeanor and Civil Infractions only):** The date on which the charging document (e.g., citation or complaint) is received by the court for misdemeanor and civil infraction filings. Courts may elect to use the date on the citation as the filing date.

**Date of Disposition:** The date on which final adjudication for the defendant or case occurs. For statistical purposes, final adjudication is defined as the date of sentencing, date of adjudication, or date charges are disposed, whichever occurs last.

### **Inactivated Cases Definitions**

**Date of Order for Stay of Proceedings:** The date on which a court orders the postponement of proceedings in a case until the occurrence of a contingency, regardless of the time or the term of court at which such contingency happens.

**Date of Warrant:** The date a warrant is issued for failure to appear (e.g., NRS 199.335), failure to comply (e.g., NRS 484A.670, NRS 22.040), or arrest

(e.g., NRS 171.106). *Cases that are currently inactive should not generate another "Placed on Inactive Status" count. Adjudicated cases (cases currently not counted as active or inactive) should be "Reopened" before generating a "Placed on Inactive Status" count.*

**Date of Diversion:** The date at any point after a recorded justice system intake but before the entering of a judgment on which criminal proceedings against an alleged offender are suspended and that person is referred to a treatment or care program, including specialty courts.

### **Reactivated Cases Definitions**

**Date of Arrest:** The date on which the defendant in a criminal case is taken into custody by law enforcement officers on a warrant for an existing case.

**Date of Motion/Action to Quash Warrant:** The date a motion to quash warrant is received in District Court or is quashed by judicial order in Justice or Municipal Court because a defendant has been arrested or otherwise brought before court to continue case processing.

**Date of Return from Diversion:** The date at any point after the completion or termination of a diversion program on which criminal proceedings against an alleged offender are reinstated and that person is convicted and sentenced or the charges are dismissed.

### **Reopened Cases Definitions**

**Date of Decision on Post-trial Motion:** The date on which a decision is made by the trial court on a post-trial motion in a criminal case.

**Date of Hearing on Post-trial Motion:** The date on which the hearing for a request is made to a trial court that the court order a new trial or other motion in a criminal case.

**Date of Petition for Reconsideration of Sentence:** The date on which a petition is filed in a trial court requesting that the penalty decided on by the judge or jury should be reconsidered.

## **Manners of Disposition**

Statistics on manners of disposition for criminal cases record the procedural manner in which cases are disposed or the decision methods used to resolve the cases.

It should be noted that Justice and Municipal Court Dispositions could apply in District Court if a felony or gross misdemeanor is filed in District Court and amended to a misdemeanor or infraction and is not remanded back to the Justice Court.

## **Unit of Count**

For felony, gross misdemeanor, misdemeanor, and civil infraction cases, the unit of count is a single defendant. Defendants in cases that require multiple types of disposition are only counted as one type.

Courts should use the hierarchy listed below when determining which manner to record dispositions: the larger the number, the higher the ranking in the hierarchy (for District Courts, 1. Other Manner of Disposition = lowest in the hierarchy, 8d. Jury Trial = highest in the hierarchy). For instance, if a complex case is disposed by both a dismissal before trial (for some charges) and conviction by jury trial (for the remaining charge(s)), the case is counted under “Jury Trial – Conviction.”

Please note that the manner of disposition for each traffic charge should also be captured so that it can be forwarded to DPS or DMV as appropriate.

## **When to Count Dispositions**

A criminal case is considered “disposed” when final adjudication for that defendant or case occurs. For statistical purposes, final adjudication is defined as the date of sentencing, date of adjudication, or date all charges are disposed, whichever occurs last.

## **District Court Manners of Disposition**

1. Other Manner of Disposition
2. Nolle Prosequi (before trial)
3. Transferred (before/during trial)
4. Dismissed (before trial)
5. Guilty Plea with Sentence (before trial)
6. Dismissed (after diversion)
7. Bench (Non-Jury) Trial
  - a. Dismissed (during trial)
  - b. Acquittal
  - c. Guilty Plea with Sentence (during trial)
  - d. Conviction
8. Jury Trial
  - a. Dismissed (during trial)
  - b. Acquittal
  - c. Guilty Plea with Sentence (during trial)
  - d. Conviction

## **Justice and Municipal Court**

### **Manners of Disposition**

1. Other Manner of Disposition
2. Default Judgment (Civil Infraction Only)
3. Uncontested Civil Violation (Civil Infrac. Only)
4. Bail Forfeiture
5. Nolle Prosequi (before trial)
6. Transferred (before/during trial)
7. Dismissed (before trial)
8. Guilty Plea with Sentence (before trial)
9. Dismissed (after diversion)
10. Contested Civil Infraction
  - a. FTA Default Judgment
  - b. Civil Infraction Dismissed
  - c. Civil Infraction Committed
11. Preliminary Hearing [Justice Courts only]
  - a. Waiver of Preliminary Hearing
  - b. Dismissed (during preliminary hearing)
  - c. Guilty Plea with Sentence (during preliminary hearing)
  - d. Bindover
12. Bench (Non-Jury) Trial
  - a. Dismissed (during trial)
  - b. Acquittal
  - c. Guilty Plea with Sentence (during trial)
  - d. Conviction
13. Jury Trial
  - a. Dismissed (during trial)
  - b. Acquittal
  - c. Guilty Plea with Sentence (during trial)
  - d. Conviction

## **Manners of Disposition Definitions**

*(Definitions are arranged in ascending hierarchical order.)*

**Other Manner of Disposition:** A disposition classification for those cases disposed by some other manner of disposition not covered by any other defined disposition (e.g., for District Courts, remanded back to Justice Court; for all courts, administrative closures). A disposition classification of unknown specificity or not attributable to one of the other defined categories.

**Default Judgment (civil infraction only):** A disposition classification where a person does not respond to the civil infraction within 90 calendar days after issuance as defined in statute (NRS 484A.704).

**Uncontested Civil Violation (civil infraction only):** A disposition classification where a person cited with a civil infraction does not contest committing the violation and submits full payment of the civil penalty and any associated fees.

**Bail Forfeiture:** A disposition classification for those criminal cases, in Justice and Municipal Courts only, in which a defendant's failure to appear in court causes the money or property deposited to secure release on bail to not be returned to the defendant and a conviction on the charge(s) is entered where appropriate. If the citation is mailed in/returned with no signature or place to admit guilt on the citation, then the disposition is Bail Forfeiture. *See also* Guilty Plea with Sentence (before trial).

**Nolle Prosequi (before trial):** A disposition classification wherein the prosecutor formally declares before the start of a preliminary hearing or trial that he or she will not proceed further (e.g., NRS 174.085).

**Transferred (before/during trial):** A disposition classification in which a judicial order transferred a case from one court to another jurisdiction (excluding binding a case over from a Justice Court to the appropriate District Court).

Transferred does not mean transferring the case from one judge to another judge within the same court. Include orders of change of venue.

**Dismissed (before trial):** A disposition classification for those criminal cases dismissed by the court before the trial has started.

If the case is dismissed during trial, preliminary hearing, after diversion, or during a contested civil infraction, use those dismissed dispositions instead.

**Guilty Plea with Sentence (before trial):** A disposition classification for those criminal cases in which the defendant, before trial has been set or started, admits having committed an offense with which he is charged, or a lesser included offense, and the court imposes a criminal sentence.

If the case is resulted with a guilty plea during trial or preliminary hearing, use those guilty plea dispositions instead. Include pleas to a lesser included offense, substituted charge, etc. Include no contest, *nolo contendere*, and *non vult contendere* cases under this category. If a person signs a citation admitting guilt or pleading *nolo contendere* and returns the citation with the fine, the disposition is Guilty Plea with Sentence (before trial). *See also* Bail Forfeitures.

This manner of disposition can be used for felony and gross misdemeanor cases in Justice Courts, but this disposition type only reflects misdemeanor charge outcomes.

**Dismissed (after diversion):** A disposition classification for those criminal cases in which official suspension of criminal proceedings occurs against an alleged offender at any point after a recorded justice system intake but before the entering of a judgment, and referral of that person to a treatment or care program. If the defendant successfully completes the terms then the judge will dismiss the case against the defendants and discharge him or her.

Also include civil proceedings where diversion programs (e.g., traffic school) are completed before entry of judgment in exchange for dismissal of the cited infractions. [Note: This manner of disposition is not used if the diversion is part of the sentence imposed as part of a plea or conviction.]

**Contested Civil Infraction:** A disposition classification for civil infractions where a judicial officer determines whether a person has committed the alleged civil infraction.

Contested civil infraction is a summary category that includes the following sub-types.

- FTA Default Judgment
- Civil Infraction Dismissed
- Civil Infraction Committed

**FTA Default Judgment:** A disposition classification for contested civil violations where the person initially contests the allegations, fails to appear at the scheduled hearing, and forfeits bond as required by law (NRS 484A.704(5)).

**Civil Infraction Dismissed:** A disposition classification for contested civil violations where the court, based upon a preponderance of the evidence, finds that the person did not commit the alleged infraction.

**Civil Infraction Committed:** A disposition classification for contested civil violations where the court, based on the preponderance of the evidence, finds that the person committed the alleged infraction.

**Preliminary Hearing:** A disposition classification for cases heard in Justice Court in which the defendant is removed (or bound over) to District Court as a result of a preliminary hearing.

Preliminary hearing is a summary category that includes the following sub-types:

- Waiver of Preliminary Hearing
- Dismissed (During Preliminary Hearing)
- Guilty Plea with Sentence (During Preliminary Hearing)
- Bindover

**Waiver of Preliminary Hearing:** Preliminary hearing dispositions in which the defendant is removed (or bound over) to District Court as a result of the defendant waiving the preliminary hearing.

**Dismissed (during preliminary hearing):**

Preliminary hearing dispositions for cases that are terminated by the court during the preliminary hearing. Include “discharged” cases (NRS 171.206) here when appropriate.

**Guilty Plea with Sentence (during preliminary hearing):** Preliminary hearing dispositions in which the defendant, during the preliminary hearing, admits having committed a misdemeanor offense with which he is charged, or a lesser included offense, and the court imposes a sentence and/or bail forfeiture.

Include pleas to a lesser included offense, less than all charges, substituted charge, etc. Include no contest, *nolo contendere* and *non vult contendere* cases under this category, as applicable.

**Bindover:** Preliminary hearing dispositions in which the defendant is removed (or bound over) to District Court after the judge finds probable cause.

**Bench Trial:** A bench (non-jury) trial is one where a judicial officer determines both the issues of fact and law in a criminal case.

Bench trial is a summary category that includes the following sub-types:

- Dismissed
- Acquittal
- Guilty Plea with Sentence (During Trial)
- Conviction

For statistical purposes, a Bench trial is initiated when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first. Count the disposition of the bench trial upon occurrence of the appropriate listed bench trial disposition type.

If a bench trial ends in mistrial, the disposition is not recorded until the new trial is terminated by one of the above dispositions. If the case is dismissed after mistrial, count the case as dismissed.

These manners of dispositions can be used for felony and gross misdemeanor cases in Justice Courts, but only reflect misdemeanor charge outcomes.

**Dismissed (during bench trial):** Bench (non-jury) trial dispositions involving criminal cases terminated by the court after the trial has started.

**Acquittal (bench trial):** Bench (non-jury) trial dispositions involving judgment of a court, based on the finding of a judge, that the defendant is not guilty of the offense(s).

**Guilty Plea with Sentence (during bench trial):** Bench (non-jury) trial dispositions in which the defendant, after the trial has started, admits having committed an offense with which he is charged, or a lesser included offense, and the court imposes a sentence.

Include pleas to a lesser included offense, less than all charges, substituted charge, etc. Include no contest, *nolo contendere* and *non vult contendere* cases under this category, as applicable.

**Conviction (bench trial):** Bench (non-jury) trial dispositions involving judgment by a court based on the finding of a judge that the defendant is guilty of the offense(s) (or a lesser included offense) of which he has been charged.

**Jury Trial:** A jury trial is one where a group of citizens is empaneled to determine the issues of fact and return a verdict in a criminal case.

Jury trial is a summary category that includes the following sub-types:

- Dismissed
- Acquittal
- Guilty Plea with Sentence (During Trial)
- Conviction

For statistical purposes, a jury trial is initiated when the jury panel has been sworn. Count the disposition of the jury trial upon occurrence of the appropriate, listed jury trial disposition type.

If a jury trial ends in mistrial, the disposition is not recorded until the new trial is terminated by one of the above dispositions. If the case is dismissed after mistrial, count the case as dismissed.

These manners of dispositions can be used for felony and gross misdemeanor cases in Justice Courts, but only reflect misdemeanor charge outcomes.

**Dismissed (during jury trial):** Jury trial dispositions involving criminal cases terminated by the court after the trial has started.

**Acquittal (jury trial):** Jury trial dispositions involving judgment of a court, based on the finding of a jury, that the defendant is not guilty of the offense(s).

**Guilty Plea with Sentence (during jury trial):** Jury trial dispositions in which the defendant, after the trial has started, admits having committed an offense with which he is charged, or a lesser included offense, and the court imposes a sentence.

Include pleas to a lesser included offense, less than all charges, substituted charge, etc. Include no contest, *nolo contendere* and *non vult contendere* cases under this category, as applicable.

**Conviction (jury trial):** Jury trial dispositions involving judgment by a court based on the finding of a jury that the defendant is guilty of the offense(s) (or a lesser included offense) of which he has been charged.

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## Chapter 2 – Civil Section

### Civil Case Category, Case Sub-categories, and Case Type Definition

#### Civil Case

A broad classification category for caseload statistics that includes cases requesting the enforcement or protection of a right, or the redress or prevention of a wrong, within the jurisdictional limits of the court. [Note: Per NRS 5.050, civil cases are filed in some Municipal Courts when the principal sum claimed does not exceed \$2,500.]

Civil cases are reported by District, Justice, and Municipal Courts.

For District Courts, civil case is a summary category that includes the following sub-types:

- Real Property Case
- Tort Case
- Probate Case
- Construction Defect Case
- Contract Case
- Judicial Review/Appeal Case
- Civil Writ (not related to an existing case)
- Other Civil Case

For Justice and Municipal Courts, civil case is a summary category that includes the following sub-types:

- Real Property Case
- Tort Case
- Contract Case
- Contested Liens Case
- Petition to Seal Records
- Other Civil Case
- Small Claims Case
- Protection Orders

Justice Court civil cases are typically for the recovery of money, damages for injury to persons, injury to real property, taking or detaining or injuring personal property, actions to recover fines, penalty, bond, forfeiture payments, or actions to recover possession of personal property where the amount does not exceed the jurisdictional limit (currently \$15,000), exclusive of interest, attorney fees, and costs.

The complaint, petition, request, or answer (summary eviction only) that begins a civil action or case is the unit counted. Small claims case type determination is defined by Justice Court Rules of Civil Procedure (JCRCP), Rule 90.

A civil case is considered “filed” when a complaint, petition, request, or answer (summary eviction only) is filed with the court or a motion for forma pauperis is received by the court, and a court case number is assigned. Cases transferred to a court are considered new filings. Cases transferred pursuant to NRS 4.371 should be counted as a new filing for statistical purposes, but filing fees may not be required to the Justice Court. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

A civil case is considered “disposed” when adjudication of the matter occurs. For statistical purposes, adjudication is defined as the date judgment is entered.

If all matters related to unresolved cases are consolidated into a lead case, the lead case should remain active and all other cases should be disposed at the time of consolidation. Cases disposed by consolidation should use the Other Manner of Disposition type.

## **Civil Case Type/Sub-Type Listing**

### **District Courts:**

#### **Civil Case:**

##### **Real Property Case**

- Landlord/Tenant Case
  - Unlawful Detainer Case
  - Other Landlord/Tenant Case
- Title to Property Case
  - Judicial Foreclosure Case
  - Other Title to Property Case
- Condemnation/Eminent Domain Case
- Other Real Property Case

##### **Tort Case**

- Negligence Case
  - Auto Negligence Case
  - Premises Liability Case
  - Other Negligence Case
- Malpractice Case
  - Medical/Dental Case
  - Legal Case
  - Accounting Case
  - Other Malpractice Case
- Product Liability Case
- Intentional Misconduct Case
- Employment Tort Case
- Insurance Tort Case
- Other Tort Case

##### **Probate Case**

- Summary Administration
- General Administration
- Special Administration
- Set Aside Case
- Probate Trust/Conservatorship
- Other Probate Case

##### **Construction Defect Case**

- Chapter 40 Case
- Other Construction Defect Case

##### **Contract Case**

- Uniform Commercial Code (UCC) Case
- Building and Construction Case
- Insurance Carrier Case
- Commercial Instrument Case
- Collection of Accounts Case
- Employment Contract Case
- Other Contract Case

##### **Judicial Review/Appeal Case**

- Petition to Seal Records Case
- Mental Competency Case
- Nevada State Agency Appeal Case
  - Department of Motor Vehicle Appeal
  - Worker's Compensation Appeal
  - State Engineer Appeal/ Water Law
  - Other Nevada State Agency Appeal
- Appeal from Lower Court Case
- Other Judicial Review/Appeal Case

##### **Civil Writ (not related to an existing case)**

- Writ of Habeas Corpus
- Writ of Mandamus
- Writ of Quo Warranto
- Writ of Prohibition
- Other Civil Writ

##### **Other Civil Case**

- Compromise of Minor's Claim Case
- Foreign Judgment Case
- Other Civil Matters

## **District Court Civil Case Types**

**Real Property Case:** A civil case sub-type that includes cases dealing with ownership or rights in real property, excluding negligence or construction defect.

Real property case is a civil summary category that includes the following sub-types:

- Landlord/Tenant Case
- Title to Property Case
- Condemnation/Eminent Domain Case
- Other Real Property Case

**Landlord/Tenant Case:** A real property case that includes cases dealing with issues arising from a contractual (expressed or implied) relationship between a lessor and lessee of real estate (including dwellings and mobile home parks). A lease (or agreement therefor) of lands for a period of time creates the contract.

Landlord/Tenant is a summary category of real property that includes the following sub-types:

- Unlawful Detainer Case
- Other Landlord/Tenant Case

**Unlawful Detainer Case:** A landlord tenant case initiated by the filing of a formal complaint alleging occupant's right to possess a property (commercial or residential) has been terminated after title of the property has been perfected.

**Other Landlord/Tenant Case:** A landlord/tenant case of unknown specificity or cases not attributable to the other previously defined landlord/tenant case category.

**Title to Property Case:** A real property case that includes cases dealing with the formal right of ownership of real property.

Title to Property is a summary category of real property that includes the following sub-types:

- Judicial Foreclosure Case
- Other Title to Property Case

**Judicial Foreclosure Case:** A title to property case typically brought by a mortgage holder for a failure on the part of the mortgagor to make complete or timely payments on real property.

Include cases initiated with petitions for foreclosure mediation assistance pursuant to NRS 107 and Supreme Court Foreclosure Mediation Rules.

**Other Title to Property Case:** A title to property case of unknown specificity or cases not attributable to the other previously defined title to property case category. Include liens, mechanics' liens, quiet title, and specific performance issues in this case type.

**Condemnation/Eminent Domain Case:** A real property case that includes cases dealing with the taking of private property for public use by the state, municipalities, and private persons or corporations authorized to exercise functions of public character.

**Other Real Property Case:** A real property case that involves an issue that does not fit within the definitions of any other real property case classification. Include partition as well as planning and zoning issues in this case type.

**Tort Case:** A civil case sub-type that involves a court action resulting from an alleged injury or wrong committed either against a person or against a person's property by a party who either did something that s/he was obligated not to do, or failed to do something that s/he was obligated to do.

Tort case is a civil summary category that includes the following sub-types:

- Negligence Case
- Malpractice Case
- Product Liability Case
- Intentional Misconduct Case
- Employment Tort Case
- Insurance Tort Case
- Other Tort Case

**Negligence Case:** A tort case that includes cases dealing with an alleged omission to do an act, the performance of an act, or the failure to use care that otherwise would have been performed, not performed, or used by a reasonably prudent and careful person under similar circumstances, resulting in personal injury, property damage, or wrongful death.

Negligence case is a summary category of torts that includes the following sub-types:

- Auto Negligence Case
- Premises Liability Case
- Other Negligence Case

**Auto Negligence Case:** A negligence case that includes cases resulting from personal injury, property damage, or wrongful death arising out of a party's alleged negligent operation of a motor vehicle.

**Premises Liability Case:** A negligence case that includes cases dealing with liability resulting from alleged negligence on property that results in damages or injuries to persons or property occupying or otherwise on said property (e.g., slip and fall).

**Other Negligence Case:** A negligence case that involves an alleged negligence issue that does not fit within the definitions of any other negligence case classification.

**Malpractice Case:** A tort case that involves alleged misconduct or negligence by a person acting in a professional capacity.

Malpractice case is a summary category of torts that includes the following sub-types:

- Medical/Dental Case
- Legal Case
- Accounting Case
- Other Malpractice Case

**Medical/Dental Case:** A malpractice case that alleges malpractice by a person in the medical or dental profession.

**Legal Case:** A malpractice case that alleges misconduct or negligence by a person in the legal profession, such as lawyers and paralegals.

**Accounting Case:** A malpractice case that alleges misconduct or negligence by a person in the accounting profession.

**Other Malpractice Case:** A malpractice case of unknown specificity or when malpractice cases are not attributable to one of the other previously defined malpractice case types.

**Product Liability Case:** A tort case that includes cases involving the alleged responsibility of the manufacturer or seller of an article for an injury caused to person or property by a defect in or condition of the article sold, or an alleged breach of duty to provide suitable instructions to prevent injury. Product liability cases include motor vehicle product liability.

**Intentional Misconduct Case:** A tort case involving injury to property or person alleged to be willfully brought upon one party by another (e.g., civil assault, battery, and vandalism).

Misconduct by an individual acting in a professional capacity should be reported in the appropriate malpractice case type.

**Employment Tort Case:** A tort case that includes cases dealing with issues arising from employer/employee relationships. Examples include harassment, age discrimination, wrongful termination, and gender bias.

Employment issues arising from contractual obligations should be reported in the contract, employment contract case type.

**Insurance Tort Case:** A tort case that alleges an insurer breached good faith and fair dealing with the insured who might be seeking punitive damages.

Cases only involving insurance contractual issues should be reported in the contract, insurance carrier case type.

**Other Tort Case:** A tort case that involves a tort issue that does not fit within the definitions of any other tort case classification (e.g., antitrust, unfair competition, fraud, defamation, libel, or slander).

**Probate Case:** A civil case sub-type that includes cases dealing with the probate of a will or estate of a deceased person.

Probate case is a summary category that includes the following sub-types:

- Summary Administration
- General Administration
- Special Administration
- Set Aside Case
- Probate Trust/Conservatorship
- Other Probate Case

**Summary Administration:** A probate case that includes cases involving a petition for summary administration.

**General Administration:** A probate case that includes cases not involving a petition for summary or special administration.

**Special Administration:** A probate case that includes cases involving a petition for special administration.

**Set Aside Case:** A probate case that includes cases involving a motion to set aside the entire estate without any administration.

**Probate Trust/Conservatorship:** A probate case that includes cases involving trusts and/or conservatorships.

**Other Probate Case:** A probate case that involves an issue that does not fit within the definitions of any other probate case classification.

**Construction Defect Case:** A civil case sub-type that includes cases dealing with an alleged construction defect. “Construction defect” includes a defect in the design, construction, manufacture, repair, or landscaping of a new residence or other structure, of an alteration of or addition to an existing residence, or of an appurtenance. The term includes physical damage

to the structure, an appurtenance or the real property to which the structure or appurtenance is affixed that is proximately caused by a construction defect.

Construction defect case is a civil summary category that includes the following sub-types:

- Chapter 40 Case
- Other Construction Defect Case

**Chapter 40 Case:** A construction defect case that falls under NRS chapter 40.

**Other Construction Defect Case:** A construction defect case that does not fall under NRS chapter 40.

**Contract Case:** A civil case sub-type that includes cases involving an alleged failure to perform any promise that forms the whole or part of a contract.

Contract case is a civil summary category that includes the following sub-types:

- Uniform Commercial Code (UCC) Case
- Building and Construction Case
- Insurance Carrier Case
- Commercial Instrument Case
- Collection of Accounts Case
- Employment Contract Case
- Other Contract Case

**Uniform Commercial Code (UCC) Case:** A contract case that involves issues that fall under the UCC.

**Building and Construction Case:** A contract case that involves issues pertaining to building and construction contracts. For cases involving construction defects, record the case in the appropriate construction defect case subtype.

**Insurance Carrier Case:** A contract case that involves issues pertaining to insurance carrier contracts. For cases involving good faith and fair dealing issues, record the case in the insurance torts case type.

**Commercial Instrument Case:** A contract case that involves issues pertaining to commercial

instruments. For cases falling under the UCC, use the Uniform Commercial Code case type.

**Collection of Accounts Case:** A contract case in which the plaintiff/seller brings suit against a buyer of goods or services for failure to pay for said goods or services as promised in an expressed or implied contract.

**Employment Contract Case:** A contract case that involves issues pertaining to employment contracts. For cases concerning tortious matters (e.g., harassment, age discrimination, wrongful termination, non-compete, and gender bias) use the employment torts case subtype.

**Other Contract Case:** A contract case that involves an issue that does not fit within the definitions of any other contract case classification.

**Judicial Review/Appeal Case:** A civil case sub-type that includes cases dealing with the review of the final disposition of a case by an administrative agency, petitions to seal records, and appeals from lower jurisdiction courts. Judicial review/appeal case is a civil summary category that includes the following sub-types:

- Petition to Seal Records Case
- Mental Competency Case
- Nevada State Agency Appeal Case
- Appeal from Lower Court Case
- Other Judicial Review/Appeal Case

**Petition to Seal Records Case:** A judicial review/appeal case that involves a request to seal records of a previous court case or other matters under the court's jurisdiction (criminal, civil, or administrative matters). Please note that orders granting the petition to seal should include the ability to seal the record sealing request as well as the matter sought for sealing. In addition, the ability for sealed cases to populate the statistics after sealing should be maintained.

Processes that seal cases automatically or by motion (e.g., juveniles at the age of majority or summary eviction) should be captured in their original cases and not in this case type.

**Mental Competency Case:** A judicial review/appeal case that involves a request to determine the mental competency of an individual and may include criminal defendants but does not include domestic mental health/competency matters.

**Nevada State Agency Appeal Case:** A judicial review/appeal case that involves a state agency decision appeal to the District Court.

Nevada state agency appeal case is a summary category of judicial review/appeal case that includes the following sub-types:

- Department of Motor Vehicle Appeal
- Worker’s Compensation Appeal
- State Engineer Appeal/ Water Law
- Other Nevada State Agency Appeal

**Department of Motor Vehicle Appeal:** A Nevada state agency appeal case that involve appeal of decisions from the DMV.

**Worker’s Compensation Appeal:** A Nevada state agency appeal case that involve appeal of decisions from the Nevada Department of Business and Industry.

**State Engineer Appeal/ Water Law:** A Nevada state agency appeal case that involve water law cases arising under NRS Chapters 532, 533, or 534; pertaining to the pre-statutory claims of vested water rights; or review of orders or decisions pursuant to NRS Chapters 535 and 536 expressly reviewable pursuant to the provisions of NRS 533.450.

**Other Nevada State Agency Appeal:** A Nevada state agency appeal case that does not fit within the definitions of any other Nevada state agency appeal case classification (e.g., Department of Wildlife, Division of Water Resources).

**Appeal from Lower Court Case:** A judicial review/appeal case that includes cases dealing with the review of the judgment of a lower (Justice or Municipal) court for a civil case.

**Other Judicial Review/Appeal Case:** A judicial review/appeal case that involves an issue that does not fit within the definitions of any other civil petition for judicial review/appeal case classification.

**Civil Writ (not related to an existing case):** A civil case sub-type that includes cases dealing with any order requiring performance or adherence of performance of an act not associated with an existing case and whereby no other legal remedy exists. Specific writs regarding prison conditions should be recorded in the appropriate case type based on the specific relief request.

Civil writs exclude actions related to the enforcement of a judgment (restitution) or the recovery of a property (possession) pursuant to an existing contract or case.

Civil Writ is a civil summary category that includes the following sub-types:

- Writ of Habeas Corpus
- Writ of Mandamus
- Writ of Quo Warranto
- Writ of Prohibition
- Other Civil Writ

**Writ of Habeas Corpus:** A civil writ designed to test the legality of the detention or imprisonment of an individual.

**Writ of Mandamus:** A civil writ that is used to compel the performance of an act which the law especially enjoins as a duty resulting from an office, trust or station; or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled and from which the party is unlawfully precluded by such inferior tribunal, corporation, board or person.

**Writ of Quo Warranto:** A civil writ that is used to establish the legal authority of an individual or organization.

**Writ of Prohibition:** A civil writ that arrests the proceedings of any tribunal, corporation, board or person exercising judicial functions, when such proceedings are without or in excess of the jurisdiction of such tribunal, corporation, board or person.

**Other Civil Writ:** A civil writ that does not fit within the definitions of any other civil writ case types. An example would include writ of certiorari, which upon conclusion of review could result in a new filing for the District Court.

**Other Civil Case:** A civil case sub-type that involves an issue that does not fit within the definitions of any other civil case classification.

Other civil case is a civil summary category that includes the following sub-types:

- Compromise of Minor’s Claim Case
- Foreign Judgment Case
- Other Civil Matters

**Compromise of Minor’s Claim Case:** An other civil case for an unemancipated minor that has a disputed claim for money against a third person (NRS 41.200).

**Foreign Judgment Case:** An other civil case to enforce judgment entered in a court of the United States or of any other court which is entitled to full faith and credit in this state.

**Other Civil Matters:** An other civil case that involves a matter that does not fit within the definitions of any other civil case type. Civil suits brought by law enforcement for property seized, Grand Jury petitions filed by the public, and Employment Security Division suits for nonpayment of insurance taxes are counted here.

## **Justice and Municipal Courts:**

### **Civil Case:**

#### **Real Property Case**

- Landlord/Tenant Case (Summary Eviction)
- Unlawful Detainer Complaint (Writs of Restitution)
- Other Real Property Case

#### **Tort Case**

- Negligence Case
  - Auto Negligence Case
  - Premises Liability Case
  - Other Negligence Case
- Intentional Misconduct Case
- Other Tort Case

#### **Contract Case**

- Seller Plaintiff (Debt Collection) Case
  - Credit Card Collection Case
  - Payday Loan Collection Case
  - Debt Collection Agency Case
  - Other Debt Collection Case
- Contract Buyer Plaintiff Case
- Other Contract Case

#### **Contested Liens Case**

#### **Petition to Seal Records**

#### **Other Civil Matters**

#### **Small Claims Case**

#### **Protection Orders**

- Request for Domestic Violence Protection Order
- Request for Protection Order (Non-Domestic Violence)
- Request for High Risk Protection Order

## **Justice/Municipal Court Civil Case Types**

**Real Property Case:** A civil case sub-type that is for exclusion of tenant for default of rent, and/or specific categories of unlawful detainer such as assignment or subletting contrary to lease, waste, unlawful business, nuisance, or violations of controlled substance laws, possession after expiration of term, possession of property leased for an indefinite time after notice to quit, or failure to perform any condition or covenant of a lease where the tenant remains in possession of property after the service of a Notice to Quit, where the amount does not exceed the jurisdictional limit. Included also are the tenants verified complaints for expedited relief and tenants request to continue when filed as originating case document.

Real property case is a civil summary category that includes the following sub-types:

- Landlord/Tenant Case (Summary Eviction)
- Unlawful Detainer Case
- Other Real Property Case

**Landlord/Tenant Case (Summary Eviction):**

A real property case for exclusion of tenant for default of rent or other deficiency following the procedures as defined in NRS 40.253 and 40.254.

Count the case when the filing of an affidavit of service and notice is received by the court, the court issues or accepts the notice of deficiency, or when the case is commenced as a result of the filing of an answer by the tenant.

**Unlawful Detainer Complaint (Writs of Restitution):** A real property case initiated by the filing of a formal complaint alleging occupant’s right to possess a property (commercial or residential) has been terminated after title of the property has been perfected.

**Other Real Property Case:** A real property case of unknown specificity or cases not attributable to the other previously defined real property case categories. Include forcible entry and detainer (“squatter”) cases in this case type.

**Tort Case:** A civil case sub-type that involves a court action resulting from an alleged injury or wrong committed either against a person or against a person’s property by a party who either did something that s/he was obligated not to do, or failed to do something that s/he was obligated to do.

Tort case is a civil summary category that includes the following sub-types:

- Negligence Case
- Intentional Misconduct Case
- Other Tort Case

**Negligence Case:** A tort case that includes cases dealing with an alleged omission to do an act, the performance of an act, or the failure to use care that otherwise would have been performed, not performed, or used by a reasonably prudent and careful person under similar circumstances, resulting in personal injury, property damage, or wrongful death.

Negligence case is a summary category of torts that includes the following sub-types:

- Auto Negligence Case
- Premises Liability Case
- Other Negligence Case

**Auto Negligence Case:** A negligence case that includes cases resulting from personal injury, property damage, or wrongful death arising out of a party’s alleged negligent operation of a motor vehicle.

**Premises Liability Case:** A negligence case that includes cases dealing with liability resulting from alleged negligence on property that results in damages or injuries to persons or property occupying or otherwise on said property.

**Other Negligence Case:** A negligence case that involves an alleged negligence issue that does not fit within the definitions of any other negligence case classification.

**Intentional Misconduct Case:** A tort case that includes cases dealing with issues of an alleged intentional misconduct. Examples include civil assault, battery, fraud, and punitive damages.

**Other Tort Case:** A tort case that involves a tort issue that does not fit within the definitions of any other tort case classification.

**Contract Case:** A civil case sub-type that involves a dispute over an agreement (express or implied) between two or more parties.

Contract case is a civil summary category that includes the following sub-types:

- Seller Plaintiff (Debt Collection) Case
- Contract Buyer Plaintiff Case
- Other Contract Case

**Seller Plaintiff (Debt Collection) Case:** A contract case (expressed or implied) in which the plaintiff/seller brings suit against a buyer of goods or services for failure to pay for said goods or services as promised in a contract.

Seller plaintiff (debt collection) case is a summary category of contract case that includes the following sub-types:

- Credit Card Collection Case
- Payday Loan Collection Case
- Debt Collection Agency Case
- Other Debt Collection Case

**Credit Card Collection Case:** A seller plaintiff (debt collection) case where the petitioner is a credit card company.

**Payday Loan Collection Case:** A seller plaintiff (debt collection) case where the petitioner is a payday loan company.

**Debt Collection Agency Case:** A seller plaintiff (debt collection) case where the petitioner is a debt collection agency.

**Other Debt Collection Case:** A seller plaintiff (debt collection) case of unknown specificity or cases not attributable to the other previously defined seller plaintiff (debt collection) case categories. Include tax collection cases in this case type.

**Contract Buyer Plaintiff Case:** A contract case (expressed or implied) involving a buyer of goods or services bringing suit against a seller of goods or services for failure either to deliver said goods or services or to honor a warranty.

**Other Contract Case:** A contract case (expressed or implied) that does not fit within the definitions of any other contract case classification.

**Contested Liens Case:** A civil case sub-type that contests the validity of liens, or requests the enforcement of liens. Examples include the enforcement of mechanics' liens (NRS 108.239) or liens of owners of storage facilities, or to contest the validity of liens on mobile or manufactured homes where the amount does not exceed the jurisdictional limit, exclusive of interest, costs, attorney fees, or miscellaneous costs.

**Petition to Seal Records Case:** A civil case sub-type that involves a request to seal records of

a previous court case or other matters under the court's jurisdiction (criminal, civil, or administrative matters). Please note that orders granting the petition to seal should include the ability to seal the record sealing request as well as the matter sought for sealing. In addition, the ability for sealed cases to populate the statistics after sealing should be maintained.

Processes that seal cases automatically or by motion (e.g., juveniles at the age of majority or summary eviction) should be captured in their original cases and not in this case type.

Orders to seal records received from the District Court should be counted in the *Orders to Seal Records* additional statistic and not as new cases.

**Other Civil Matters:** A civil case sub-type that involves a matter that does not fit within the definitions of any other civil case type. Include "Confessions of Judgment" when filed as an original case and petitions to seal records in this case type.

**Small Claims Case:** A civil case sub-type that is for recovery of money only, where the amount does not exceed the jurisdictional limit (currently \$10,000), and the defendant named is currently a resident, does business in, or is employed in the township where the court is located. Small claims case type determination is defined by JCRCP, Rule 90.

**Protection Order:** A civil case sub-type that is for a temporary order for protection against domestic violence (including battery) or initial order for protection against harassment, stalking, or threat to life, not related to domestic violence.

Only record the filing of the original request. Extended protection order hearing outcomes are reported separately in the Additional Civil Caseload Statistics defined on page 32.

Protection order is a summary category that includes the following sub-types:

- Request for Domestic Violence Protection Order
- Request for Protection Order (Non-Domestic Violence)
- Request for High Risk Protection Order

### **Request for Domestic Violence Protection**

**Order:** A protection order case that is an application for a temporary order for protection against domestic violence (including battery); where it appears to the satisfaction of the court from facts shown on a verified application that an act of domestic violence has occurred or there exists the threat of domestic violence. (Refer to NRS 33.020, 33.030, 33.080, 33.100, and 200.481.) The request for a protection order is usually in the form of an application.

**Request for Protection Order (Non-Domestic Violence):** A protection order that is an application for an initial order for protection against harassment in the workplace, sexual assault, stalking, or threat to life, not related to domestic violence. The request for a protection order is usually in the form of an application.

Protection order applications filed in accordance with NRS 193.166 and 200.378 related to sexual assault should also be captured as a Sexual Assault Protection Order additional statistic.

### **Request for High Risk Protection Order:**

A protection order that is an application for a temporary order for protection against high risk behavior; where it is alleged on a verified application that a person poses an imminent risk of causing personal injury by possessing, controlling, or purchasing a firearm or other deadly weapon (within the immediately preceding 6 months), engaged in an act of high risk behavior, and that less restrictive options have been exhausted or are not effective (Refer to NRS 33.500-33.670.)

The request for a protection order is usually in the form of an application and may be filed by law enforcement; or a family/household member.

## **Additional Civil Caseload Statistics**

To better understand the workload of the courts, it is useful to capture some additional data from all court levels regarding civil cases. The following additional civil caseload statistical measurements are included in the Dictionary:

### **Filings/Events (all courts):**

- Civil Writs (related to an existing case)
- Remitted/Remanded Civil Cases
- Jury Trials
- Non-Jury (Bench) Trials
- Satisfaction of Judgment
- Inmate Requests/Filings
- Contempt and Preliminary Injunctions
- Renewal of Judgment

### **Court Interpreter Statistics (all courts):**

- Cases with Court Interpreters
- Languages Used by Party
  - Spanish
  - Tagalog
  - Chinese (Mandarin/Cantonese)
  - American Sign Language
  - Other Languages

### **Limited Jurisdiction Courts Only:**

- Orders to Seal Records

### **Justice Courts Only:**

- Sexual Assault Protection Order
- Extended DV Protection Orders Granted
- Extended DV Protection Orders Denied
- Extended DV Protection Orders, Other
- Extended Protection Orders (non-DV) Granted
- Extended Protection Orders (non-DV) Denied
- Extended Protection Orders (non-DV), Other
- Extended High Risk Protection Orders Granted
- Extended High Risk Protection Orders Denied
- Extended High Risk Protection Orders, Other
- High Risk Protection Order Filed by LEO
- High Risk Protection Order Filed by Family

## **Additional Civil Caseload Statistics Cont.**

**Civil Writ (related to an existing case):** A sub-type of civil proceeding involving any order requiring performance, or adherence of performance, of an act associated with an existing case. Examples of civil writs related to an existing case are habeas corpus, writs of execution, and writs of garnishments.

These civil writs related to an existing case are reported by District and Justice Courts.

**Remitted/Remanded Civil Cases:** The number of civil cases remitted/remanded back from the District or Supreme Court to the originating court requiring corrective or additional action by a judicial officer after an appeal during the specified reporting period.

**Jury Trials:** The number of jury trials initiated during the specified time for civil cases. A jury trial is counted as beginning when the jury panel has been sworn, regardless of whether a decision is reached. Count each jury trial only once, regardless of how many parties or cross-complaints are involved. Each retrial is counted as a separate trial.

**Non-Jury (Bench) Trials:** The number of non-jury (bench) trials initiated during the specified time for civil cases. A non-jury (bench) trial is a trial by the court that occurs when a party fails to demand a trial by jury (Refer to NRCPC and JCRCP Rules 38 & 39), and the judge decides both questions of facts and questions of law to resolve the case by trial. Do not include bench trials related to contempt or preliminary injunction matters here.

A non-jury (bench) trial is counted as beginning when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first. Count each non-jury (bench) trial only once, regardless of how many parties or cross-complaints are involved. Each retrial is counted as a separate trial.

**Satisfaction of Judgment:** The number of cases in which a satisfaction of judgment has been filed with the court during the reporting period and/or entered in the clerk's docket (i.e., NRS 17.200).

**Inmate Requests/Filings:** The number of new filings (cases) where the petitioner is an inmate of a Department of Corrections facility. Examples include writs of habeas corpus or other matters.

**Contempt and Preliminary Injunctions:** The number of contempt (NRS 22.090) and preliminary injunction (e.g., NRCPC, Rule 65) trials. Do not include criminal contempt matters.

**Renewal of Judgment:** The number of affidavits filed pursuant to NRS 17.214 for the renewal of an existing judgment.

### **Court Interpreter Statistics**

**Cases with Court Interpreters:** The number of disposed cases during the reporting period that involved the use of a court interpreter at any time during the life of the case.

**Languages Used by Party:** The following languages, counted by requesting party, should also be tracked for court interpreter statistics:

- Spanish
- Tagalog
- Chinese (Mandarin/Cantonese)
- American Sign Language
- Other Languages

*See appendix A for additional information on this measurement.*

### **Limited Jurisdiction Courts Only:**

**Orders to Seal Records:** The number of orders received by the Justice or Municipal Court from the District Court for petitions to seal records. An Order may concern multiple cases, and should only be counted once.

Original petitions to seal records filed with the court should be counted as a new filing in the Petition to Seal Records case type.

## **Additional Civil Caseload Statistics Cont.**

### **Justice Courts Only:**

**Sexual Assault Protection Orders:** The number of protection order applications in accordance with NRS 193.166 and 200.378 related to sexual assault. Sexual Assault Protection Orders should also be captured as Request for Protection Order (Non-Domestic Violence) cases. Reported by Justice Courts only. Only count the number of original applications.

**Extended Domestic Violence Protection Orders Granted:** The number of extended orders issued for protection against domestic violence, through hearing, during the reporting period.

**Extended Domestic Violence Protection Orders Denied:** The number of extended orders denied for protection against domestic violence, through hearing, during the reporting period.

**Extended Domestic Violence Protection Orders, Other:** The number of hearings held for requests to extend existing orders for protection against domestic violence, where the hearing results neither granted nor denied the extended orders during the reporting period (e.g., the action is continued to another date or the request is dismissed or voluntarily withdrawn).

**Extended Protection Orders (non-Domestic Violence) Granted:** See *Extended Domestic Violence Protection Orders Granted* definition.

**Extended Protection Orders (non-Domestic Violence) Denied:** See *Extended Domestic Violence Protection Orders Denied* definition.

**Extended Protection Orders (non-Domestic Violence), Other:** See *Extended Domestic Violence Protection Orders, Other* definition.

Statistics on caseload inventory for civil cases record the number of cases filed during a specific period, broken out by case types and sub-types.

Caseload time measures are essential for tracking cases potentially requiring court action, as well as assessing current court business process for how long it takes to resolve matters at the court.

**Extended High Risk Protection Orders Granted:** See *Extended Domestic Violence Protection Orders Granted* definition.

**Extended High Risk Protection Orders Denied:** See *Extended Domestic Violence Protection Orders Denied* definition.

**Extended High Risk Protection Orders, Other:** See *Extended Domestic Violence Protection Orders, Other* definition.

**High Risk Protection Order Filed by Law Enforcement Officer:** The number of High Risk Protection Order applications filed by a law enforcement officer (see NRS 33.560(1)) during the reporting period. Only count the number of original applications.

**High Risk Protection Order Filed by Family:** The number of High Risk Protection Order applications filed by a family or household member defined by NRS 33.540 (see also NRS 33.560(2)) during the reporting period. Only count the number of original applications.

## **Caseload Inventory and Time Measures**

### **Unit of Count**

The unit of count for a civil case is the original, initiating petition or complaint. For courts that handle requests for domestic violence and stalking/harassment (non-domestic violence) protection orders, the unit of count is a single request. Counter claim cases are not to be counted as new case filings. Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

### **When to Count Filings**

A civil case is considered “filed” when a complaint, petition, or answer (summary eviction only) is filed with the court or a motion for forma pauperis is received by the court, and a court case number is assigned. Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

**Begin Pending - Active:** A count of cases that, at the start of the reporting period, are awaiting disposition.

**Begin Pending - Inactive:** A count of cases that, at the start of the reporting period, have been administratively classified as inactive.

**New Filings:** A count of cases that have been filed with the court for the first time.

*This caseload measure initiates calculation for time measures defined on page 35.*

**Reopened:** A count of cases in which judgments have previously been entered but which have been restored to the court’s pending caseload due to the filing of a request to modify or enforce the existing judgments. Remanded cases (requiring modification or correction) are included. When a reopened case is disposed, report the disposition as a Reopened Disposition (see “Dispositions - Reopened”).

*This caseload measure initiates calculation for time measures defined on page 35.*

**Reactivated:** A count of cases that had previously been placed in an inactive pending status, but which further court proceedings and activities can now be resumed so that the case can proceed to disposition. *Such circumstances are defined in the Events section on page 37.*

*This caseload measure resumes calculation for time measures defined on page 35.*

**Dispositions - Entry of Judgment:** Dispositions are reported under the two disposition subcategories: original or reopened. For cases involving multiple parties/issues the manner of disposition should not be reported until all parties/issues have been resolved. The sum of the original and reopened disposition subcategories on the caseload worksheet should equal the grand total dispositions on the disposition worksheet for each case type.

*These caseload measures end calculation for time measures defined on page 35.*

**Dispositions - Original:** A count of cases for which an original entry of judgment has been filed. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

**Dispositions - Reopened:** A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

**Placed on Inactive Status:** A count of cases whose status has been administratively changed to inactive because the court will take no further action in the case until an event restores the case to the court’s active pending caseload. *Such circumstances are defined in the Events section on page 37.*

*This caseload measure suspends calculation for time measures defined on page 35.*

**End Pending - Active:** A count of cases that, at the end of the reporting period, are awaiting disposition.

**End Pending - Inactive:** A count of cases that, at the end of the reporting period, have been administratively classified as inactive.

**Set for Judicial Review:** A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review by a judicial officer (in chambers or by hearing) during the reporting period.

(Example: After a probate trust case is resolved and the court sets regular status review hearings of the original order. The case would be counted in set for review once each month until the last status review is held, until the status review is cancelled, or the case is reopened).

This count is not intended to count the number of hearings held but instead the pending number of cases scheduled for review.

**Self-Represented Litigant:** A count of cases that had one or more parties self-represented at any time during the life of the case. This measure is reported when the Dispositions - Entry of Judgment measure is reported.

*See appendix A for additional information on this measurement.*

## **Caseload Time Measures Definitions**

**Age of Active Pending Caseload:** The number of active cases that are pending before the court, reported in defined time periods and measured in days, for each case type.

Original proceedings should use the following time periods:

- 0 - 90 days
- 91 - 180 days
- 181 - 365 days
- >365 days

Reopened proceedings should use the following time periods:

- 0 - 60 days
- 61 - 180 days
- > 180 days

The time frame for original proceedings begins at the date of recording the New Filing caseload inventory statistic until the date of this measurement.

The time frame for reopened proceedings begins at the date of recording the Reopened caseload inventory statistic until the date of this measurement.

Cases that are reopened do not include the time for previously resolved reopened events. Additionally, the time required between the New Filing and Dispositions - Original caseload inventory measures are not included for reopened proceedings.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic is not part of calculating the Age of Active Pending Caseload measurement.

The total number of cases reported in the Age of Active Pending Caseload measure should equal the number of cases reported in the End Pending - Active Caseload Inventory measures for each case type.

**Time to Disposition:** Cases disposed or otherwise resolved during the reporting period generate two time measures: the mean and median number of days to reach disposition. The two time to disposition time measures are reported for each case type and are distinctly separated by original and reopened proceedings.

The time frame begins at the date of recording the New Filing caseload inventory statistic and ends at the date of recording the Dispositions - Original caseload inventory statistic.

For reopened cases, the time frame begins at the date of recording the Reopened caseload inventory statistic and ends at the date of recording the Dispositions - Reopened caseload inventory statistic. Time measures for reopened cases are independent from original proceedings and previously disposed reopened events.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic should not be included in calculating the Time to Disposition measurements.

The total number of cases generating the time to disposition measurement should be distinctly separated by original and reopened proceedings and reflect the total number of cases disposed during the reporting period, respectively.

The following example and formulas refer to the USJR data provided in the monthly worksheets submitted to the AOC. The examples below are used also in the End Pending - Active and - Inactive Caseload calculations on the right.

**Example Data**

1	Begin Pending	
	a Active	50
	b Inactive	15
2	New Filings	111
3	Reopened	14
4	Reactivated	23
5	Dispositions (Entry of Judgment)	
	a Original	106
	b Reopened	17
6	Placed on Inactive Status	42
7	End Pending	
	a Active, Total	33
	b Inactive, Total	34
8	Set for Judicial Review	151
9	Age of Active Pending Caseload	
	i Original, 0 - 90 days	22
	ii Original, 91 - 180 days	1
	iii Original, 181 - 365 days	2
	iv Original, >365 days	1
	v Reopened, 0 - 60 days	6
	vi Reopened, 61 - 180 days	1
	vii Reopened, >180 days	0
10	Time to Disposition	
	a Original, Mean Number of Days	28
	b Original, Median Number of Days	23
	c Reopened, Mean Number of Days	35
	d Reopened, Median Number of Days	34
11	Self-Represented Litigant	18

The following formulas can be used for all case types. The name of each status type is listed with its corresponding line identifier in parentheses. The formulas are provided using both the status field name and line identifier and as the line identifier alone (bottom).

**End Pending - Active Caseload Calculation**

Begin Pending - Active (1a)	50
+New Filings (2)	111
+Reopened (3)	14
+Reactivated (4)	23
	<hr/> 198
MINUS (-)	
Original Dispositions (5a)	106
+Reopened Dispositions (5b)	17
+Placed on Inactive Status (6)	42
	<hr/> 165
End Pending - Active, Total (7a)	<hr/> <hr/> 33

**End Pending - Inactive Caseload Calculation**

Begin Pending - Inactive (1b)	15
+Placed on Inactive Status (6)	42
	<hr/> 57
MINUS (-)	
Reactivated Cases (4)	23
	<hr/> 23
End Pending - Inactive, Total (7b)	<hr/> <hr/> 34

or row (7a) = {(1a)+(2)+(3)+(4)} - {(5a)+(5b)+(6)}  
 = [50+111+14+23] - [106+17+42]  
 = 198 - 165  
 = 33

row (7b) = {(1b)+(6)} - {(4)}  
 = [15+42] - [23]  
 = 57 - 23  
 = 34

## **Events in Civil Case Processing**

Statistics indicating what events occurred in individual Civil cases during a specified period. Events are listed by the status of caseload inventory (see pages 32-33). Tracking case events is useful for tracking court case flow.

### **Count**

If a case has not been disposed at the end of the period it should be counted in End Pending and as Begin Pending in the subsequent period. Inactivated or Reactivated status for both pending categories is determined by the administratively decided triggering events listed below.

Cases can be reported as placed upon inactive status, reactivated, and reopened several times in the same reporting period.

**Date Petition Filed:** The date on which the court receives the formal written request to re-initiate a case and requesting a decision in a matter described therein.

**Date of Hearing:** The date on which a petition in a civil related matter is heard.

### **Inactivating Event Definitions**

**Date of Stayed Adjudication/Findings:** The date on which an order is issued staying the matter until certain issues or circumstances are resolved.

### **Reactivating Event Definitions**

**Date of Reactivation From Stay:** The date on which a notice is received notifying the courts that all matters which caused the case to be stayed have been resolved and the court has placed the case back on the active caseload.

### **Reopening Event Definitions**

**Date of Remittitur/Remand:** The date on which the originating court receives the remittitur or remand from the Supreme Court or District Court with an order directing the originating court to take further action.

**Date of Motion/Request to Modify:** The date on which a motion/request to modify an existing order is filed in a matter that has previously been disposed.

**Request to Set Aside a Default:** The date on which a request to set aside a default judgment is received by the court.

**Bankruptcy Notice:** The date a notice is received notifying the court that the bankruptcy stay has been lifted and the case may proceed.

## **Manners of Disposition Listing**

### **Adjudication Manners of Disposition**

#### **Non-Trial Dispositions**

1. Other Manner of Disposition
2. Voluntary Dismissal
3. Involuntary Dismissal
4. Transferred (before trial)
5. Judgment on Arbitration
6. Stipulated Dismissal
7. Stipulated Judgment
8. Default Judgment
9. Motion to Dismiss by the Defendant(s)
10. Summary Judgment

#### **Non-Jury (bench) Trial**

11. Disposed After Trial Start (bench trial)
12. Judgment Reached (bench trial)

#### **Jury Trial**

13. Disposed After Trial Start (jury trial)
14. Verdict Reached

#### **Protection Orders Dispositions**

15. Other Manner of Disposition
16. Voluntary Dismissal
17. Involuntary Dismissal
18. Transferred
19. Denied without Hearing
20. Granted without Hearing
21. Denied with Hearing
22. Granted with Hearing

## **Manners of Disposition**

Statistics on manners of disposition for civil cases record the procedural manner in which cases are disposed and the significant type of decision employed to resolve the case. Manners of dispositions are used to record the adjudication of the case.

### **Unit of Count**

The unit of count for a civil case is the original, initiating petition or complaint. For courts that handle requests for domestic violence and stalking/harassment (non-domestic violence) protection orders, the unit of count is a single request.

Cases that require multiple types of adjudication are only counted as one type. Courts should choose the most appropriate disposition reflecting what occurred on the case from the manner of disposition listing. For instance, if a complex case is disposed by both a stipulated dismissal (for some issues) and adjudicated by jury trial (for the remaining issues), the case is should be counted under “jury trial- verdict reached”.

### **When to Count Dispositions**

A civil case is considered disposed when adjudication of the matter occurs. For statistical purposes, adjudication is defined as the date judgment is entered.

### **Manners of Disposition Definitions**

**Non-Trial Dispositions:** A major classification category for civil case dispositions in which a case is disposed of by a dismissal, default, settlement, withdrawal, transfer, or other non-trial action.

**Other Manner of Disposition:** Non-trial dispositions including ones of unknown specificity or dispositions not attributable to one of the other defined civil related disposition categories.

Cases receiving notice of a federal bankruptcy proceeding should be reported in this disposition type.

Cases disposed by consolidation should be reported in this disposition type at the time of consolidation.

District Courts should use this disposition type for cases appealed from limited jurisdiction courts when returning the case to the Justice/Municipal Court.

**Voluntary Dismissal:** Non-trial dispositions involving cases dismissed by the court upon request or motion by the plaintiff, petitioner, or obligee that has voluntarily ceased to pursue a case. See NRCP and JCRCP Rules 41a.

**Involuntary Dismissal:** Non-trial dispositions in which a dismissal judgment being entered because the legal time frame (1 year for small claims, 120 days after the filing of a complaint without service of the summons and complaint upon a defendant, 30 days or less for summary evictions, and generally 2 or 5 years for District Courts) has expired with no other judgment being rendered for the case.

Courts should report cases disposed administratively utilizing this non-trial disposition; for instance, for cases determined to be without merit. See NRCP 41(e), JCRCP 4(i) or 93 (small claims).

**Transferred (before trial):** A disposition type in which a judicial action or notice transfers a case from one court to another jurisdiction. Cases transferred pursuant to NRS 4.371 should be counted as a new filing for statistical purposes, but filing fees may not be required at the Justice Court.

Transferred does not mean transferring the case from one judge to another judge within the same court.

(Please note that cases disposed by receiving notice of a federal bankruptcy proceeding should be reported in Other Manner of Disposition.)

**Judgment on Arbitration:** Non-trial dispositions for cases adjudicated by a judgment being entered as a result of an arbitration or mediation proceeding.

**Stipulated Dismissal:** Non-trial dispositions for cases adjudicated by a stipulated dismissal being entered. Stipulated dismissal could be the result of mediation or settlement conferences. Cases heard and resolved by a referee might use this disposition.

**Stipulated Judgment:** Non-trial dispositions for cases adjudicated by a stipulated judgment being entered. Stipulated judgment could be the result of mediation or settlement conferences. For example, when the parties agree on everything (e.g., amount owed and payments) before they come to court, enter the agreement as part of the record/judgment and count as stipulated judgment. Cases heard and resolved by a referee might use this disposition. “Confession of Judgment” filed as original cases have the disposition of stipulated judgment.

**Default Judgment:** Non-trial dispositions for cases adjudicated by a default judgment being entered based on defendant having failed to answer or having answered improperly.

**Motion to Dismiss by the Defendant(s):** Non-trial dispositions for cases adjudicated on the merits in which the defendant(s) file a motion to dismiss the civil action, generally interposed before trial.

**Summary Judgment:** Non-trial dispositions in which a judge renders a decision, without trial, where there is no dispute as to either material facts nor inferences to be drawn from undisputed facts. Also used if only a question of law is involved. An example is summary administration in probate, where the judge reviews the case and issues order(s) for payments. Justice Courts count summary evictions here when the judge signs without a hearing.

**Non-Jury (Bench) Trial:** A major classification category for civil case dispositions in which a judge hears a trial of matter or cause in a case. A non-jury trial is counted as beginning when the first evidence is introduced or the first witness sworn, whichever comes first. Sub-types of non-jury (bench) trial are:

- Disposed After Trial Start (bench trial)
- Judgment Reached (bench trial)

**Disposed After Trial Start (bench trial):** Bench trial dispositions in which a judge or judicial officer is assigned to determine both the issues of fact and law in the case and evidence is introduced, but no judgment is reached, typically because the case settles during the trial.

**Judgment Reached (bench trial):** Bench trial dispositions in which a judge or judicial officer is assigned to determine both the issues of fact and law in the case, evidence is introduced, and a judgment ending the trial is rendered by the court.

**Jury Trial:** A major classification category for civil related case dispositions in which a group of citizens are empaneled to hear a trial of matter or cause in a civil case. A jury trial is counted as beginning when the jury has been sworn, regardless of whether a decision is reached. Sub-types jury trial are:

- Disposed After Trial Start (jury trial)
- Verdict Reached

**Disposed After Trial Start (jury trial):** Jury trial dispositions in which a jury is impaneled to determine the issues of fact in a case, but a verdict is not reached, typically because the case settles during the trial. Include in this category cases for which there was a mistrial only if the case was settled/dismissed following the mistrial, and the case will not be retried.

**Verdict Reached:** Jury trial dispositions in which a jury is impaneled to determine the issues of fact in a case, the jury is sworn, evidence is introduced, and a verdict is reached.

## **Protection Orders Dispositions Definitions**

(Justice Courts Only)

**Other Manner of Disposition:** A disposition classification for protection orders adjudicated by unknown specificity or dispositions not attributable to one of the other defined civil related disposition categories.

**Voluntary Dismissal:** A disposition classification for protection orders adjudicated by dismissal by the court upon request or motion by the plaintiff, petitioner, or obligee that has voluntarily ceased to pursue a case.

**Involuntary Dismissal:** A disposition classification for protection orders adjudicated by an order of dismissal being entered because the legal time frame has expired. For instance, cases dismissed for want of prosecution. See NRCPC 41(e), JCRCP 4(i).

**Transferred:** A disposition classification for protection orders in which a judicial action or notice transfers a case from one court to another jurisdiction. Transferred does not mean transferring the case from one judge or master to another judge or master within the same court.

**Denied without Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered denying the request without any trials or hearings. Includes summary judgments.

**Granted without Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered granting the request without any trials or hearings. Includes summary judgments.

**Denied with Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered denying the request as a result of one or more evidentiary hearings.

**Granted with Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered granting the request as a result of one or more evidentiary hearings.

## Chapter 3 – Family Section

### Family Case Category, Case Subcategory, and Case Type Definitions

#### Family-Related Case

A broad classification category for caseloads involving domestic or family-related matters (excluding juvenile-related) in District Courts; the processing of which follows Nevada statutes, court rules, local regulations, and federal regulations.

Family-related case is a summary category that includes the following subcategories:

- Domestic Relations
- Mental Health
- Guardianship

The filing document in a family-related case is generally a petition, original request, or complaint. The unit of count is the petition (adoption, TPR, and UIFSA), original request (TPO), notice from the Division of Welfare and Supportive Services in some support (non-divorce) actions (e.g., NRS 425.3822), or complaint (all other types).

Modifications or other reactivations of cases are counted under Reopened or Reactivated case. This allows the reopened case to be counted while recognizing that it is related to an already adjudicated case. Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

Filings are counted when the court receives an originating petition (adoption, TPR, and UIFSA), request (TPO), notice (in some support (non-divorce) actions), or complaint (all other case types). Cases are considered “disposed” when the decision is handed down and/or the final order is filed, whichever occurs first. [Note: Courts should be tracking when final orders are filed for all family-related cases.]

Recognizing that many guardianship cases have post-adjudication activity, courts are encouraged to track these post-adjudication activities and events and also record the “final” manner of disposition (see the Manners of Disposition section that follows).

#### Case Subcategories and Case Type Listing

##### **Family-Related Case:**

###### **Domestic Relations Case:**

Marriage Dissolution Case  
Paternity Case  
Custody (Non-Divorce) Case  
IV-D UIFSA Case

###### **Support (Non-Divorce) Case:**

IV-D Intrastate  
Other Support  
Visitation (Non-Divorce) Case

###### **Termination of Parental Rights (TPR) Case:**

State Initiated (TPR) Petition  
Other (TPR) Petition  
Adoptions Case  
Requests for Domestic Violence Protection Orders (TPOs) Case  
Request for High Risk Protection Orders Case  
Other Domestic Relations Case

###### **Mental Health:**

Mental Health Case

###### **Guardianship Case:**

Guardianship of an Adult Case  
Guardianship of a Minor Case  
Guardianship Trust Case

###### **Additional Family Caseload Statistics:**

Intrastate IV-D (Divorce)  
Remanded Cases  
Bench (Non-Jury) Trials  
Extended DV Protection Orders Granted  
Extended DV Protection Orders Denied  
Extended DV Protection Orders, Other  
Extended High Risk Protection Orders Granted  
Extended High Risk Protection Orders Denied  
Extended High Risk Protection Orders, Other  
High Risk Protection Order Filed by LEO  
High Risk Protection Order Filed by Family

###### **Court Interpreter Statistics**

Cases with Court Interpreters  
Languages Used by Party  
Spanish  
Tagalog  
Chinese (Mandarin/Cantonese)  
American Sign Language  
Other Languages

## **Domestic Relations**

A subcategory of family-related cases that includes issues involving persons defined by statute to be domestically related. Examples of cases include those involving actions such as divorce, separation, annulment, custody, paternity, adoption, support, reciprocal support, permission to marry, separate maintenance, minor name change, and parental rights. These may include actions by unmarried persons to resolve issues of support or custody.

Domestic relations case is a family-related subcategory that includes the following case types:

- Marriage Dissolution
- Paternity
- Custody (Non-Divorce)
- IV-D UIFSA
- Support (Non-Divorce)
  - IV-D Intrastate
  - Other Support
- Visitation (Non-Divorce)
- Termination of Parental Rights (TPR)
  - State Initiated (TPR) Petition
  - Other (TPR) Petition
- Adoptions
- Requests for Domestic Violence Protection Order (TPOs)
- Request for High Risk Protection Order
- Other Domestic Relations

**Marriage Dissolution Case:** A subcategory of domestic relations cases that involves either divorce or annulment. [Note: If a case involves both marriage dissolution and support/custody issues, report the case under marriage dissolution. Also, count separate maintenance cases here when all property, etc., is divided as in a divorce but no divorce is sought.]

**Paternity Case:** A subcategory of domestic relations cases that involves paternity issues (establishing the identity or responsibility of the father of a minor child) as defined by Nevada statute.

**Custody (Non-Divorce) Case:** A subcategory of domestic relations cases that includes cases in which an individual requests that a court make a determination regarding the control or care of a child. Do not include in this category cases in which custody/

visitation issues are part of a marriage dissolution/divorce proceeding.

**IV-D - UIFSA (Uniform Interstate Family Support Act):** A subcategory of domestic relations cases that includes cases filed to request maintenance of a parent/guardian or a minor child by a person living in a different state who is required, under Title IV-D of the Social Security Act of 1973, to provide such maintenance.

UIFSA cases involve a plaintiff and defendant residing in different states, and are of two types: those where the defendant resides in Nevada and the plaintiff in another state (often called “reciprocal support – in”) and those where the plaintiff resides in Nevada and the defendant resides in another state (“reciprocal support – out”). For cases in which both parties reside in Nevada, report the case under the appropriate case type.

**Support (Non-Divorce) Case:** A subcategory of domestic relations cases that includes cases filed by a parent/guardian to request maintenance of that parent/guardian or a minor child by a person who is required, by law, to provide such maintenance. Do not include in this category cases in which support issues are part of a marriage dissolution/divorce proceeding.

**IV-D Intrastate (Non-Divorce):** A subclassification of support (non-divorce) cases that includes cases filed to request maintenance of a parent/guardian or minor child by a person living in the same state who is required, under Title IV-D of the Social Security Act of 1973, to provide such maintenance.

**Other Support (Non-Divorce):** A subclassification of support (non-divorce) cases that includes cases of unknown specificity or cases not attributable to one of the other previously defined support or IV-D (non-divorce) categories. Private support cases not under the auspices of Title IV-D are an example of a case that would be included in this category.

**Visitation (Non-divorce) Case:** A subcategory of domestic relations cases that includes cases in which an individual requests that a court schedule the time the individual will spend with the minor children. Such requests can be brought before the court by

parents, grandparents, or other family members. Do not include cases in which custody/visitation issues are part of a marriage dissolution/divorce proceeding in this category.

**Termination of Parental Rights (TPR):** A subcategory of domestic relations cases that includes cases associated with juvenile dependency cases, where a petition is filed to terminate the parental rights of one or both parents.

**State Initiated (TPR) Petition:** A subclassification of termination of parental right cases initiated by a state agency, through petition, requesting that the court extinguish the legal relationship of parent and child.

Only count petitions for TPR actions; motions for TPR in existing juvenile Child Abuse and Neglect cases should be captured in the juvenile statistics.

**Other (TPR) Petition:** A subclassification of termination of parental right cases wherein a parent of a juvenile files a petition requesting that the court declare a child be free from the custody and control of the legal relationship of parent and child.

Example: When one parent seeks termination of parental rights of the other parent, so the child can be adopted by a step parent.

**Adoptions:** A subcategory of domestic relations cases that involves a request for the establishment of a new, permanent relationship of parent and child between persons not having that relationship naturally.

The filing document in an adoption case is generally a petition.

**Request for Domestic Violence Protection Order (TPOs):** A subcategory of family-related cases that involves an application to issue a protection order if it appears to the satisfaction of the court from specific facts shown by a verified application that an act of domestic violence has occurred, or there exists a threat of domestic violence as defined by Nevada statute. At present, domestic violence is defined in NRS as occurring when a person commits one of a variety of acts (including battery) against or upon his/her spouse, former spouse, any other person to whom s/he is related by blood or marriage, a person with whom s/he is or

was actually residing, a person with whom s/he has had or is having a dating relationship, a person with whom s/he has a child in common, or the minor child of any of those persons. (Refer to NRS 33.018 and 200.481.)

Only record the filing of the original request for the TPO. Extended protection order hearing outcomes are reported separately in the Additional Family Caseload Statistics defined on page 44.

**Request for High Risk Protection Order:** A protection order that is an application for a temporary order for protection against high risk behavior; where it is alleged on a verified application that a person poses an imminent risk of causing personal injury by possessing, controlling, or purchasing a firearm or other deadly weapon (within the immediately preceding 6 months), engaged in an act of high risk behavior, and that less restrictive options have been exhausted or are not effective (Refer to NRS 33.500-33.670.)

The request for a protection order is usually in the form of an application and may be filed by law enforcement; or a family/household member. Only record the filing of the original request for the protection order. Extended protection order hearing outcomes are reported separately in the Additional Family Caseload Statistics defined on page 44.

**Other Domestic Relations Case:** A subcategory of domestic relations cases that includes cases of unknown specificity or cases not attributable to one of the other previously defined domestic relations categories. Examples are permission to marry and minor name change.

**Mental Health Case:** A subcategory of family-related cases in which a court is requested to make a legal determination as to whether an individual is mentally ill or incompetent and should be placed or should remain under care, custody, and treatment.

Mental health cases are limited to mental illness categories involving commitment or commitment review, and do not include guardianship, criminal related incompetency hearings, or alcoholics that do not request institutional commitment.

**Guardianship Case:** A subcategory of family-related cases that deal with the relationship between guardian and ward. Guardianship issues involve either the person or his/her estate.

A Guardianship case should be counted when a petition for temporary or permanent guardian is received.

Guardianship cases should be disposed at the appointment of a permanent guardian, or the case is expired, dismissed, or otherwise dissolved.

Temporary guardianship matters are not disposed when temporary guardians are appointed.

Guardianship Case is a family-related subcategory that includes the following case types:

- Guardianship of an Adult Case
- Guardianship of a Minor Case
- Guardianship Trust Case

**Guardianship of an Adult Case:** A subclassification of guardianship cases that involves issues where the ward is an adult. Guardianship issues involve either the person or his/her estate.

**Guardianship of a Minor Case:** A subclassification of guardianship cases that deals with issues where the ward is a minor. Guardianship issues involve either the person or his/her estate.

**Guardianship Trust Case:** A subclassification of guardianship cases that involves trusts

## **Additional Family Caseload Statistics**

To better understand the workload of the courts, it is useful to capture some additional data regarding family-related cases. The following additional statistical measurements are included in the USJR caseload worksheets:

### **Filings/Events:**

- IV-D Intrastate (Divorce)
- Remanded Cases
- Bench (Non-Jury) Trial
- Extended DV Protection Orders Granted
- Extended DV Protection Orders Denied
- Extended DV Protection Orders, Other
- Extended High Risk Protection Orders Granted
- Extended High Risk Protection Orders Denied
- Extended High Risk Protection Orders, Other
- High Risk Protection Order Filed by LEO
- High Risk Protection Order Filed by Family

### **Court Interpreter Statistics:**

- Cases with Court Interpreters
- Languages Used by Party
  - Spanish
  - Tagalog
  - Chinese (Mandarin/Cantonese)
  - American Sign Language
  - Other Languages

**IV-D Intrastate (Divorce):** The number of requests filed by petition seeking support or maintenance of a parent/guardian or minor child by a person living in the same state who is required, under Title IV-D of the Social Security Act of 1973, to provide such maintenance. These matters arise from previously disposed marriage dissolution/divorce cases and should correspond with the marriage and dissolution/divorce case being reopened.

**Remanded Case:** The number of family cases remanded back from the Supreme Court to the originating court requiring corrective or additional action by a judicial officer after an appeal during the specified reporting period.

**Bench (Non-Jury) Trials:** The number of bench (non-jury) trials initiated during the specified time for family-related cases. A bench trial is a trial where the judge decides both questions of facts and

of law to resolve the case by trial. A bench trial is counted when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first. Count each bench trial only once, regardless of how many family-related cases are heard as a part of the trial. If bench trials are held on subsequently filed supplemental petitions, count each bench (non-jury) trial separately.

**Extended Domestic Violence Protection Orders**

**Granted:** The number of extended orders issued for protection against domestic violence, through hearing, during the reporting period.

**Extended Domestic Violence Protection Orders**

**Denied:** The number of extended orders denied for protection against domestic violence, through hearing, during the reporting period.

**Extended Domestic Violence Protection Orders,**

**Other:** The number of hearings held for requests to extend existing orders for protection against domestic violence, where the hearing results neither granted nor denied the extended orders during the reporting period (e.g., the action is continued to another date or the request is dismissed or voluntarily withdrawn).

**Extended High Risk Protection Orders Granted:**

See Extended Domestic Violence Protection Orders Granted definition.

**Extended High Risk Protection Orders Denied:**

See Extended Domestic Violence Protection Orders Denied definition.

**Extended High Risk Protection Orders, Other:**

See Extended Domestic Violence Protection Orders, Other definition.

**High Risk Protection Order Filed by Law Enforcement Officer:**

The number of High Risk Protection Order applications filed by a law enforcement officer (see NRS 33.560(1)) during the reporting period. Only count the number of original applications.

**High Risk Protection Order Filed by Family:** The number of High Risk Protection Order applications filed by a family or household member defined by NRS 33.540 (see also NRS 33.560(2)) during the reporting period. Only count the number of original applications.

**Court Interpreter Statistics**

**Cases with Court Interpreters:** The number of disposed cases during the reporting period that involved the use of a court interpreter at any time during the life of the case.

**Languages Used by Party:** The following languages, counted by requesting party, should also be tracked for court interpreter statistics:

- Spanish
- Tagalog
- Chinese (Mandarin/Cantonese)
- American Sign Language
- Other Languages

*See appendix A for additional information on this measurement.*

## **Caseload Inventory and Time Measures**

Statistics on caseload inventory for family cases record the number of cases filed during a specific period, broken out by case types and sub-types.

Caseload time measures are essential for tracking cases potentially requiring court action, as well as assessing current court business process for how long it takes to resolve matters at the court.

### **Unit of Count**

Family-related case unit of count is the petition (adoption, TPR, and UIFSA), original request (TPO), notice (in some support (non-divorce) actions), or complaint (all other types). In adoption and termination of parental right matters, the unit of count is the petition, regardless of the number of children. Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

### **When to Count Filings**

**Begin Pending - Active:** A count of cases that, at the start of the reporting period, are awaiting disposition.

**Begin Pending - Inactive:** A count of cases that, at the start of the reporting period, have been administratively classified as inactive.

**New Filings:** A count of cases that have been filed with the court for the first time.

*This caseload measure initiates calculation for time measures defined on page 47.*

**Reopened:** A count of cases in which judgments have previously been entered but which have been restored to the court's pending caseload due to the filing of a request to modify or enforce the existing judgments. Remanded cases (requiring modification or correction) are included. When a reopened case is disposed of, report the disposition as a Reopened Disposition (see "Dispositions - Reopened").

*This caseload measure initiates calculation for time measures defined on page 47.*

**Reactivated:** A count of cases that had previously been placed in an inactive pending status, but for which further court proceedings and activities can now be resumed so that the case can proceed to disposition.

*Such circumstances are defined in the Events section on page 49. This caseload measure resumes calculation for time measures defined on page 47.*

**Dispositions - Entry of Judgment:** Dispositions are reported under the two disposition subcategories: original or reopened. For cases involving multiple parties/issues the manner of disposition should not be reported until all parties/issues have been resolved. The sum of the original and reopened disposition subcategories on the caseload worksheet should equal the grand total dispositions on the disposition worksheet for each case type.

*These caseload measures end calculation for time measures defined on page 47.*

**Dispositions - Original:** A count of cases for which an original entry of judgment has been filed. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

**Dispositions - Reopened:** A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

**Placed on Inactive Status:** A count of cases whose status has been administratively changed to inactive because the court will take no further action in the case until an event restores the case to the court's active pending caseload. *Such circumstances are defined in the Events section on page 49.*

*This caseload measure suspends calculation for time measures defined on page 47.*

**End Pending - Active:** A count of cases that, at the end of the reporting period, are awaiting disposition.

**End Pending - Inactive:** A count of cases that, at the end of the reporting period, have been administratively classified as inactive.

**Set for Judicial Review:** A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review by a judicial officer (in chambers or by hearing) during the reporting period. (Example: After a dissolution and custody order is entered, the court sets regular status review hearings of the custody order. The case would be counted in set for judicial review once each month until the last status review is held or until the status review is cancelled, or the case is reopened.) This count is not intended to count the number of hearings held but instead the pending number of cases scheduled for review.

**Self-Represented Litigant:** A count of cases that had one or more parties self-represented at any time during the life of the case. This measure is reported when the Dispositions - Entry of Judgment measure is reported.

*See appendix A for information on this measurement.*

### **Caseload Time Measures Definitions**

**Age of Active Pending Caseload:** The number of active cases that are pending before the court, reported in defined time periods and measured in days, for each case type.

Original proceedings should use the following time periods:

- 0 - 90 days
- 91 - 180 days
- 181 - 365 days
- >365 days

Reopened proceedings should use the following time periods:

- 0 - 60 days
- 61 - 180 days
- > 180 days

The time frame for original proceedings begins at the date of recording the New Filing caseload inventory statistic until the date of this measurement.

The time frame for reopened proceedings begins at the date of recording the Reopened caseload inventory statistic until the date of this measurement.

Cases that are reopened do not include the time for previously resolved reopened events. Additionally, the time required between the New Filing and Dispositions - Original caseload inventory measures are not included for reopened proceedings.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic is not part of calculating the Age of Active Pending Caseload measurement.

The total number of cases reported in the Age of Active Pending Caseload measure should equal the number of cases reported in the End Pending - Active Caseload Inventory measures for each case type.

**Time to Disposition:** Cases disposed or otherwise resolved during the reporting period generate two time measures: the mean and median number of days to reach disposition. The two time to disposition time measures are reported for each case type and are distinctly separated by original and reopened proceedings.

The time frame begins at the date of recording the New Filing caseload inventory statistic and ends at the date of recording the Dispositions - Original caseload inventory statistic.

For reopened cases, the time frame begins at the date of recording the Reopened caseload inventory statistic and ends at the date of recording the Dispositions - Reopened caseload inventory statistic. Time measures for reopened cases are independent from original proceedings and previously disposed reopened events.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic should not be included in calculating the Time to Disposition measurements.

The total number of cases generating the time to disposition measurement should be distinctly separated by original and reopened proceedings and reflect the total number of cases disposed during the reporting period, respectively.

The following example and formulas refer to the USJR data provided in the monthly worksheets submitted to the AOC. The examples below are used also in the End Pending - Active and - Inactive Caseload calculations on the right.

**Example Data**

1	Begin Pending	
	a Active	50
	b Inactive	15
2	New Filings	111
3	Reopened	14
4	Reactivated	23
5	Dispositions (Entry of Judgment)	
	a Original	106
	b Reopened	17
6	Placed on Inactive Status	42
7	End Pending	
	a Active, Total	33
	b Inactive, Total	34
8	Set for Judicial Review	151
9	Age of Active Pending Caseload	
	i Original, 0 - 90 days	22
	ii Original, 91 - 180 days	1
	iii Original, 181 - 365 days	2
	iv Original, >365 days	1
	v Reopened, 0 - 60 days	6
	vi Reopened, 61 - 180 days	1
	vii Reopened, >180 days	0
10	Time to Disposition	
	a Original, Mean Number of Days	28
	b Original, Median Number of Days	23
	c Reopened, Mean Number of Days	35
	d Reopened, Median Number of Days	34
11	Self-Represented Litigant	18

The following formulas can be used for all case types. The name of each status type is listed with its corresponding line identifier in parentheses. The formulas are provided using both the status field name and line identifier and as the line identifier alone (bottom).

**End Pending - Active Caseload Calculation**

Begin Pending - Active (1a)	50
+New Filings (2)	111
+Reopened (3)	14
+Reactivated (4)	23
	<hr/>
	198
MINUS (-)	
Original Dispositions (5a)	106
+Reopened Dispositions (5b)	17
+Placed on Inactive Status (6)	42
	<hr/>
	165
<hr/>	
End Pending - Active, Total (7a)	<hr/> <hr/> 33

**End Pending - Inactive Caseload Calculation**

Begin Pending - Inactive (1b)	15
+Placed on Inactive Status (6)	42
	<hr/>
	57
MINUS (-)	
Reactivated Cases (4)	23
	<hr/>
	23
<hr/>	
End Pending - Inactive, Total (7b)	<hr/> <hr/> 34

or row (7a) = {(1a)+(2)+(3)+(4)} - {(5a)+(5b)+(6)}  
 = [50+111+14+23] - [106+17+42]  
 = 198 - 165  
 = 33

row (7b) = {(1b)+(6)} - {(4)}  
 = [15+42] - [23]  
 = 57 - 23  
 = 34

## **Events in Family Case Processing**

Statistics indicating what events occurred in individual Family cases during a specified period. Events are listed by the status of caseload inventory (see pages 45-46). Tracking case events is useful for tracking court caseload.

### **Count**

If a case has not been disposed at the end of the period it should be counted in End Pending and as Begin Pending in the subsequent period. Inactivated or Reactivated status for both pending categories is determined by the administratively decided triggering events listed below.

Cases can be reported as placed upon inactive status, reactivated, and reopened several times in the same reporting period.

**Date Petition Filed:** The date on which the court receives the formal written request to re-initiate a case and requesting a decision in a matter described therein.

**Date of Hearing:** The date on which a petition in a family related matter is heard.

### **Inactivating Event Definitions**

**Date of Stayed Adjudication/Findings:** The date on which an order is issued staying the matter until certain issues or circumstances are resolved.

**Date Bench Warrant/Arrest Warrant Issued:** The date which the court enters an order issuing a warrant for arrest.

### **Reactivating Event Definitions**

**Date of Arrest:** The date on which a wanted party is taken into custody by law enforcement officers on a warrant for an existing case.

**Date of Motion/Action to Quash Warrant:** The date a motion to quash warrant is received in District Court when the party has been arrested or otherwise brought before court to continue case processing.

**Date of Reactivation From Stay:** The date on which a notice is received notifying the courts that all matters which caused the case to be stayed have been resolved and the court has placed the case back on the active caseload.

### **Reopening Event Definitions**

**Date of Remittitur/Remanded:** The date on which the originating court receives the remittitur or remand from the Supreme Court.

**Date of Motion/Request to Modify/Enforce:** The date on which a motion/request to modify or enforce an existing order is filed in a matter that has previously been disposed.

## **Manners of Disposition**

Statistics on manners of disposition for family-related cases record the procedural manner in which cases are disposed and the significant type of decision employed to resolve the case. Manners of dispositions are used to record the adjudication of the case.

### **Unit of Count**

Family-related case unit of count is the petition (adoption, TPR or UIFSA), original request (TPO), notice (in some support (non-divorce) actions), or complaint (all other types).

Cases that require multiple types of adjudication are only counted as one type. Likewise, cases that require multiple types of “final” disposition are only counted as one type. Courts should use the hierarchy listed below when determining which manner to record dispositions: the larger the number, the higher the ranking in the hierarchy. For instance, if a complex case is disposed as (2) Voluntary Dismissal (for some issues) and (7) Adjudicated With Judicial Conference or Hearing (for the remaining issues), the case is counted under Adjudicated With Judicial Conference or Hearing.

### **When to Count Dispositions**

Family-related cases are considered “disposed” when the decision is handed down and/or the final order is filed, whichever occurs first. [Note: Courts should be tracking when final orders are filed for all family-related cases.]

Even though most post-adjudication activity is not currently counted, courts are encouraged to track the post-adjudication activities of their guardianship cases and also record the “final” disposition for those guardianship cases listed below.

Support (Non-Divorce) cases are considered disposed upon judgment. Count these cases as reopened when a petition is filed regarding a matter previously adjudicated.

## **Manners of Disposition Listing**

### **Family-Related Manners of Dispositions**

#### **Non-Trial Dispositions**

1. Other Manner of Disposition
2. Voluntary Dismissal
3. Involuntary Dismissal
4. Transferred (before trial)
5. Default Judgment
6. Adjudicated Without Judicial Conference or Hearing
7. Adjudicated With Judicial Conference or Hearing
8. Adjudicated By Alternative Dispute Resolution

#### **Trial Dispositions**

9. Bench (Non-Jury) Trials
  - 9a. Disposed After Trial Start
  - 9b. Judgment Reached

#### **Final Disposition (Guardianship Cases Only):**

- 10a. Death
- 10b. Age of Majority
- 10c. Restoration of Competency
- 10d. Order Terminating Guardianship or Final Accounting

#### **Protection Orders Dispositions**

11. Other Manner of Disposition
12. Voluntary Dismissal
13. Involuntary Dismissal
14. Transferred
15. Denied without Hearing
16. Granted without Hearing
17. Denied with Hearing
18. Granted with Hearing

## **Manners of Disposition Definitions**

**Non-Trial Dispositions:** A major classification category for family-related case dispositions in which a case is disposed of by a dismissal, default, settlement, withdrawal, transfer, or other non-trial action.

**Other Manner of Disposition:** A subcategory of family-related non-trial case type dispositions including ones of unknown specificity or dispositions not attributable to one of the other defined family-related disposition categories.

**Voluntary Dismissal:** A subcategory of family-related non-trial dispositions involving cases dismissed by the court because the plaintiff, petitioner, or obligee has voluntarily ceased to pursue a case. *Also known as Dismissed–Want of Prosecution.*

**Involuntary Dismissal:** A subcategory of family-related non-trial dispositions involving cases adjudicated by an order of dismissal being entered because the legal time statute has expired, with no other judgment or order being rendered for the case. Courts should report cases disposed administratively utilizing this non-trial disposition.

**Transferred (before trial):** A subcategory of family-related non-trial dispositions involving cases in which a judicial order transfers a case from one court to another jurisdiction.

Transferred does not mean transferring the case from one judge or master to another judge or master within the same court.

**Default Judgment:** A subcategory of family-related non-trial dispositions involving cases in which the defendant(s) either chose not to or failed to respond to (i.e. answer) the plaintiff's allegations.

**Adjudicated Without Judicial Conference or Hearing:** A subcategory of family-related non-trial dispositions for cases settled without a conference or hearing with a judicial officer. Includes cases resolved by joint stipulation or summary judgment without a conference or hearing.

**Adjudicated With Judicial Conference or Hearing:** A subcategory of family-related non-trial dispositions for cases settled resulting from a conference or hearing with a judicial officer. Includes cases resolved by joint stipulation or summary judgment with a conference or hearing.

**Adjudicated by Alternative Dispute Resolution (ADR):** A subcategory of family-related non-trial dispositions involving cases that were referred by the court to programs such as mediation or arbitration and through those processes, were successfully settled and/or withdrawn from the court docket during the reporting period.

**Total Non-Trial Dispositions:** The sum of those dispositions types listed above, from Other Manner of Disposition to Settled/Withdrawn by Alternative Dispute Resolution (ADR).

**Trial Dispositions:** A major classification category for family-related case dispositions that involves a hearing and determination of issues of fact and law, in accordance with prescribed legal procedures, in order to reach a judgment in a case before a court.

**Bench (Non-Jury) Trial:** A subcategory of family-related trial dispositions involving a trial in which there is no jury and a judicial officer determines both the issues of fact and law in the case. For statistical purposes, a Bench trial is initiated when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first, regardless of whether a judgment is reached.

**Disposed After Trial Start:** A subcategory of family-related bench (non-jury) trial dispositions in which a judicial officer determines both the issues of fact and law in the case, but no judgment is reached, typically because the case settles during the trial.

**Judgment Reached:** A subcategory of family-related bench (non-jury) trial dispositions in which a judicial officer determines both the issues of fact and law in the case and a judgment is rendered by the court/judicial officer.

**Total Bench (Non-Jury) Trial Dispositions:** The sum of the two disposition types listed above, Judgment Reached and Disposed After Trial Start.

**Grand Total Dispositions:** A major classification of family-related case dispositions that is the sum of all previously defined family-related disposition categories. Each row under this category should have a total number of cases disposed for that case type category followed at the bottom by the grand total of all dispositions and all case types.

### **Manners of “Final” Disposition (Guardianship Cases Only) Definitions**

**Death:** A “final” disposition classification for guardianship cases that are “finalized” with a filing of a death certificate with the court.

**Age of Majority:** A “final” disposition classification for guardianship cases that are “finalized” when the juvenile ward reaches the age of majority (generally 18 years of age).

**Restoration of Competency:** A “final” disposition classification for guardianship cases that are “finalized” with the restoration of competency of the ward.

**Order Terminating Guardianship or Final Accounting:** A “final” disposition classification for guardianship cases that are “finalized” with an order terminating guardianship or when the final accounting is filed with the court, whichever occurs first.

Courts should only use this “final” disposition if the other above-defined “final” dispositions are not applicable.

### **Protection Orders Dispositions Definitions**

**Other Manner of Disposition:** A disposition classification for protection orders adjudicated by unknown specificity or dispositions not attributable to one of the other defined civil related disposition categories.

**Voluntary Dismissal:** A disposition classification for protection orders adjudicated by dismissal by the court upon request or motion by the plaintiff, petitioner, or obligee that has voluntarily ceased to pursue a case.

**Involuntary Dismissal:** A disposition classification for protection orders adjudicated by an order of dismissal being entered because the legal time frame has expired. For instance, cases dismissed for want of prosecution. See NRCP 41(e).

**Transferred:** A disposition classification for protection orders in which a judicial action or notice transfers a case from one court to another jurisdiction. Transferred does not mean transferring the case from one judge or master to another judge or master within the same court.

**Denied without Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered denying the request without any trials or hearings. Includes summary judgments.

**Granted without Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered granting the request without any trials or hearings. Includes summary judgments.

**Denied with Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered denying the request as a result of one or more evidentiary hearings.

**Granted with Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered granting the request as a result of one or more evidentiary hearings.

## **Chapter 4 – Juvenile Section**

### **Juvenile Case Category, Case Subcategory, and Case Type Definitions**

#### **Juvenile-Related Case**

A broad classification category for caseloads involving juveniles in District Courts (or their designated court), the processing of which follows Nevada statutes, local regulations, and federal regulations for handling matters pertaining to individuals who are defined as juveniles.

Juvenile-related case is a summary category that includes the following sub-types:

- Delinquency Petition
- Status Petition
- Dependency/Child Victim
- Miscellaneous Petitions
- Juvenile Protection Order
- Juvenile Traffic and Civil Infraction Case

The filing document in a juvenile-related case is generally a petition, citation (juvenile traffic only in some jurisdictions), or request (protection orders only). In a delinquency case involving a juvenile, the filing document is a petition. In juvenile traffic and civil infraction cases, the filing document is generally a citation.

Due to the nature of juvenile-related cases, supplemental or subsequent petitions generally represent separate, unrelated events. Consequently, supplemental or subsequent petitions are counted as separate filings. Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.] Cases are considered “disposed” when adjudication of the matter occurs. See Manners of Disposition (page 64) for adjudication of supplemental petitions.

**Delinquency Petition:** A subcategory of juvenile-related cases that includes cases involving an act committed (pursuant to NRS 62B.330(2)) by a juvenile, which, if committed by an adult, would result in prosecution in court and over which the juvenile court has been statutorily granted original or concurrent jurisdiction. These may include

#### **Case Subcategories and Case Types Listing**

##### **Juvenile-Related Case:**

##### **Delinquency Petition:**

- Person
- Property
- Drug
- Public Order
- Other Delinquency
- Juvenile Traffic and Civil Infraction
- Status Petition

##### **Dependency/Child Victim:**

- Child Abuse/Neglect Petition
- Dependent (No Fault)
- Other Dependency/Child Victim
- Miscellaneous Petition
- Juvenile Protection Order

##### **Juvenile Traffic and Civil Infraction Case**

- Juvenile Traffic
- Juvenile Traffic, Civil Infraction Case
- Other Civil Infraction Case

##### **Juvenile-Related Proceeding and**

##### **Additional Caseload Statistics:**

- Informal Hearings (Involving a Judicial Officer)
- Detention Hearings
- Extradition Hearings
- Protective Custody Hearings
- Motion for Termination of Parental Rights
- Remanded Juvenile Cases
- Bench (Non-Jury) Trials
- Request for DV Protection Order
- Request for Protection Order (Non-DV)
- Sexual Assault Protection Order
- High Risk Protection Order Filed by LEO
- High Risk Protection Order Filed by Family
- Extended Protection Orders Granted
- Extended Protection Orders Denied
- Extended Protection Orders, Other
- Court Interpreter Statistics
  - Cases with Court Interpreters
  - Languages Used by Party
    - Spanish
    - Tagalog
    - Chinese (Mandarin/Cantonese)
    - American Sign Language
    - Other Languages

petitions transferred to the juvenile or family court from the criminal court. Under certain conditions, a delinquency petition may include a motion/pleading to transfer jurisdiction of the case to adult court.

**Person:** A subclassification of delinquency cases involving murder/manslaughter, sexual assault (including rape and sexual battery), robbery, assault, domestic violence, older/vulnerable persons abuse, child abuse and neglect, as well as protection order violations.

**Property:** A subclassification of delinquency cases involving burglary, larceny, auto theft, arson, forgery and counterfeiting, fraud, embezzlement, stolen property (buying or receiving), and vandalism.

**Drug:** A subclassification of delinquency cases involving the illegal possession, sale, use, or manufacture of drugs.

**Public Order:** A subclassification of delinquency cases involving violations of liquor laws, DUI, public drunkenness, disorderly conduct, gambling, prostitution, and other vice. Some jurisdictions refer to these as “public nuisance” or “quality of life” offenses, or “crimes against society.”

**Other Delinquency:** A subclassification of delinquency cases including cases of unknown specificity or cases not attributable to one of the other defined delinquency case categories. This includes charges classified as weapon and reckless driving offenses.

**Juvenile Traffic and Civil Infraction Case:** A subcategory of delinquency-related cases in which a defendant is charged in a delinquency petition with traffic or civil violations of state laws, local ordinances, or federal regulations that generally involve offenses punishable by fine and/or incarceration.

**Status Petition:** A subcategory of juvenile-related case that includes petitions involving a juvenile in need of supervision, referred to as CHINS (child or children in need of supervision). This sub-type deals with a child (or children) who requires guidance, treatment, or rehabilitation because of (a) habitual truancy from school; (b) habitual disobedience, being

ungovernable, and beyond control of the person having custody of the child without substantial fault on the part of that person; or (c) deportment that is injurious or endangers the child or others.

**Dependency/Child Victim:** A subcategory of juvenile-related cases alleging that a child has been abused or neglected, or is otherwise without proper parental care and/or supervision.

**Child Abuse/Neglect Petition:** A subclassification of dependency/child victim cases involving a juvenile where the behavior of someone other than the juvenile causes the court to concern itself with the well-being of the juvenile. These include both abuse and neglect matters.

Abuse and neglect actions on behalf of a child allege that the parent, guardian, or person with whom the child lives, failed to give proper care or abused the child; or that the juvenile has suffered from unlawful holding out from school, inadequate medical care, lack of proper supervision, 432B petitions, or the like.

Guardianship petitions involving juveniles are reported separately (under “Family-Related Case”) to permit comparable guardianship caseload statistics statewide. Court actions that are directed against adults as the result of adult relationships to juveniles are not classified as juvenile petitions. (Ex: Support, custody and termination of parental rights cases)

[Note: Child abuse, abandonment, contributing to delinquency, or abuse and neglect are classified as criminal actions on the part of the adult involved and charged, and are reported as part of criminal caseload. Such actions are often grounds as well for juvenile petitions on behalf of the child.] Only report the juvenile petitions relating to abuse or neglect in this sub-type.

**Dependent (no fault):** A subclassification of dependency/child victim cases alleging one or more of the grounds for dependency without specifically faulting the parent(s) or guardian.

**Other Dependency/Child Victim:** A subclassification of dependency/child victim cases including cases of unknown specificity or cases not

attributable to one of the other previously defined dependency case categories.

**Miscellaneous Petition:** For statistical reporting purposes, a residual category in which to classify juvenile petitions that cannot be identified as belonging to the other subcategories (delinquency petition, status petition, child abuse/neglect petition, or juvenile traffic and civil infraction case). An example of a petition that is classified as a miscellaneous juvenile petition is a Petition for Emancipation.

Do not include petitions involving relationships of adults to children that are classified under domestic relations cases.

**Juvenile Protection Order:** A subcategory of juvenile-related cases for a temporary order for protection when the adverse party is a juvenile. Includes domestic violence and high-risk protection orders, as well as protection against harassment in the workplace, sexual assault, stalking, or threat to life protection orders.

Only record the filing of the original request. Extended protection order hearing outcomes are reported separately in the Additional Juvenile-Related Caseload Statistics defined on page 57.

**Juvenile Traffic and Civil Infraction Case:** A subcategory of juvenile-related cases in which a defendant is charged through a citation with traffic or civil violations of state laws, local ordinances, or federal regulations that generally involve offenses punishable by fine and/or incarceration (misdemeanor-level offenses only).

Traffic and civil infraction cases are further defined by the following case types:

- Juvenile Traffic Case
- Juvenile Traffic, Civil Infraction Case
- Other Civil Infraction Case

**Juvenile Traffic Case:** A case type that involves any matter that originates in the court as a citation involving a juvenile that is classified as a misdemeanor-level traffic or parking violation if the juvenile had been charged as an adult.

Report petitions for delinquency filed alleging traffic offences in the appropriate delinquency petition case types.

**Juvenile Traffic, Civil Infraction Case:** A case type that involves any matter that originates in the court as a citation involving a juvenile that is classified as an infraction-level traffic or parking violation if the juvenile had been charged as an adult.

Report petitions for delinquency filed alleging traffic infraction offences in the appropriate delinquency petition case types.

**Other Civil Infraction Case:** A case type in which a juvenile is alleged with a civil violation of state laws, local ordinances, or federal regulations often pertaining to non-traffic, or public nuisance issues, which are generally prescribed by a maximum civil penalty of \$500.

Report petitions for delinquency filed alleging other infraction offences in the appropriate delinquency petition case types.

### **Additional Juvenile-Related Proceedings**

**Juvenile-Related Proceedings:** A broad classification category for court caseload inventory that includes juvenile-related proceedings that are not considered cases (and subsequently included in juvenile-related case sub-types listed above). Juvenile-related proceedings are defined as major events (as defined in this *Dictionary*) related to an already filed (counted) case/petition or one that likely will not result in an official case/petition filing.

Juvenile-related proceeding is a summary category that includes the following sub-types:

- Informal Hearing (Involving a Judicial Officer)
- Detention Hearing
- Extradition Hearing
- Protective Custody Hearing
- Motion for Termination of Parental Rights

**Informal Hearings (involving a judicial officer):** Any hearing/event held by a judicial officer involving a juvenile in which no formal charge has been filed with the court. Only record an informal hearing if it is held on a matter that is not a part of an existing

case. The court may impose a disposition as a result of the informal hearing.

**Detention Hearings:** Any hearing requesting a juvenile to be held in detention, or continued to be held in detention, pending further court action(s) within the same jurisdiction or another jurisdiction. Only record a detention hearing if it is held.

**Extradition Hearings:** A hearing held before a court in which evidence is presented so that the court can determine if a juvenile should be surrendered to another state jurisdiction.

Count an extradition hearing for each juvenile addressed by the court during these proceedings. Extradition hearings are counted upon completion of the hearing.

**Protective Custody Hearings:** Any hearing held to determine if the risk to a child is great enough to warrant removal, or continued removal, from their custodian. Only record a protective custody hearing if it is held.

**Motion for Termination of Parental Rights:** The number of motions filed during the reporting period concerning termination of parental rights in Child Abuse/Neglect cases per NRS 432B.5901. Do not include petitions for termination of parental rights as these petitions should be counted in the appropriate family case type (see page 43).

**Additional Juvenile-Related Caseload Statistics:** To better understand the workload of the courts, it is useful to capture some additional data regarding juvenile-related cases. The following additional statistical measurements are included in the USJR caseload worksheets:

- Remanded Cases
- Bench (Non-Jury) Trials
- Request for Domestic Violence Protection Order
- Request for Protection Order (Non-DV)
- Sexual Assault Protection Order
- High Risk Protection Order Filed by LEO
- High Risk Protection Order Filed by Family
- Extended DV Protection Orders Granted
- Extended DV Protection Orders Denied
- Extended DV Protection Orders, Other

- Extended Protection Orders (non-DV) Granted
- Extended Protection Orders (non-DV) Denied
- Extended Protection Orders (non-DV), Other

**Remanded Cases:** The number of juvenile cases remanded back from the Supreme Court to the originating court requiring corrective or additional action by a judicial officer after an appeal during the specified reporting period.

**Bench (Non-Jury) Trials:** The number of bench (non-jury) trials initiated during the specified time for juvenile-related cases. A bench (non-jury) trial is a trial in which the judge decides both questions of facts and questions of law to resolve the case by trial.

A bench (non-jury) trial is counted when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first. Count each bench (non-jury) trial only once, regardless of how many juvenile related cases/petitions are heard as a part of the trial.

If bench (non-jury) trials are held on subsequently filed supplemental petitions, count each bench (non-jury) trial separately. Evidentiary hearings are not tracked as an additional statistic and should not be reported.

**Request for Domestic Violence Protection Order:** The number of Juvenile Protection Order cases filed that are for a temporary order for protection against domestic violence (including battery).

**Request for Protection Order (Non-Domestic Violence):** The number of Juvenile Protection Order cases that are for an initial order for protection against harassment in the workplace, stalking, or threat to life, not related to domestic violence.

Protection order applications filed in accordance with NRS 193.166 and 200.378 related to sexual assault should also be captured as a Sexual Assault Protection Order additional statistic.

**Sexual Assault Protection Order:** The number of Juvenile Protection Order cases filed in accordance with NRS 193.166 and 200.378 related to sexual assault during the reporting period. Only count the number of original applications.

**High Risk Protection Order Filed by Law Enforcement Officer:** The number of juvenile related High Risk Protection Order applications filed by a law enforcement officer (see NRS 33.560(1)) during the reporting period. Only count the number of original applications.

**High Risk Protection Order Filed by Family:** The number of juvenile related High Risk Protection Order applications filed by a family or household member defined by NRS 33.540 (see also NRS 33.560(2)) during the reporting period. Only count the number of original applications.

**Extended Domestic Violence Protection Orders Granted:** The number of juvenile related extended domestic violence protection orders issued granting protection, through hearing, during the reporting period.

**Extended Domestic Violence Protection Orders Denied:** The number of extended juvenile related domestic violence protection orders denied for protection, through hearing, during the reporting period.

**Extended Domestic Violence Protection Orders, Other:** The number of juvenile related hearings held for requests to extend existing domestic violence orders for protection, where the hearing results neither granted nor denied the extended orders during the reporting period (e.g., the action is continued to another date or the request is dismissed or voluntarily withdrawn).

**Extended Protection Orders (non-Domestic Violence) Granted:** See *Extended Domestic Violence Protection Orders Granted* definition.

**Extended Protection Orders (non-Domestic Violence) Denied:** See *Extended Domestic Violence Protection Orders Denied* definition.

**Extended Protection Orders (non-Domestic Violence), Other:** See *Extended Domestic Violence Protection Orders, Other* definition.

## **Court Interpreter Statistics**

**Cases with Court Interpreters:** The number of disposed cases during the reporting period that involved the use of a court interpreter at any time during the life of the case.

**Languages Used by Party:** The following languages, counted by requesting party, should also be tracked for court interpreter statistics:

- Spanish
- Tagalog
- Chinese (Mandarin/Cantonese)
- American Sign Language
- Other Languages

*See appendix A for additional information on this measurement.*

## **Caseload Inventory and Time Measures**

Statistics on caseload inventory for juvenile cases record the number of cases filed during a specific period, broken out by case types and sub-types.

### **Unit of Count**

The juvenile-related case unit of count is the petition, citation (juvenile traffic only in some jurisdictions), or request (protection orders only). Cases transferred to a court are considered new filings. [Note: Transferred refers to cases received from another jurisdiction, not between departments within the same jurisdiction.]

Cases can be reported as placed upon inactive status, reactivated, and reopened several times in the same reporting period.

For juvenile delinquency petitions, the unit of count is a single petition, in cases whereby multiple offenses are indicated on the petition, courts will utilize a hierarchy when classifying the case for statistical purposes. For example, if a juvenile is charged on a single petition with a “crime against person(s)” and a “crime against property,” for statistical purposes, the case is counted as a “crime against person(s).”

The hierarchy used for reporting delinquency filings for multi-offense cases for the same juvenile is based

upon the list below. The larger the number, the lower the ranking in the hierarchy. Delinquency petitions that also include civil infractions should use the higher delinquency ranking.

1. Crimes Against Person (Person)
2. Crimes Against Property (Property)
3. Drug Offenses (Drug)
4. Public Order Offense (Public Order)
5. Other Delinquency Offenses (Other Delinquency)

### **When to Count Filings**

**Begin Pending - Active:** A count of cases that, at the start of the reporting period, are awaiting disposition.

**Begin Pending - Inactive:** A count of cases that, at the start of the reporting period, have been administratively classified as inactive.

**New Filings:** A count of cases that have been filed with the court for the first time. Juvenile-related case filings occur when the court receives the petition, citation, or request. [Note: Some courts utilize citations as originating documents for juvenile traffic cases.] *This caseload measure initiates calculation for time measures defined on page 59.*

**Charges:** A count of each charge on the petition or citation for juvenile delinquency, juvenile traffic, or civil (non-traffic) infraction cases that have been filed with the court for the first time. For example, if a delinquency petition charges a juvenile with property and drug offenses, the delinquency petition is counted once in new filings under property. Additionally, the charges are each counted on the charge line under the appropriate columns, for example, one under property and one under drug.

**Reopened:** A count of cases in which order/judgments have previously been entered but which have been restored to the court's pending caseload due to the filing of a request to modify or enforce the existing order/judgments. Remanded cases (requiring modification or correction) are included. When a reopened case is disposed of, report the disposition as a Reopened Disposition (See Dispositions-Reopened). *This caseload measure initiates calculation for time measures defined on page 59.*

**Reactivated:** A count of cases that had previously been placed in an inactive pending status, but for which further court proceedings and activities can now be resumed so that the case can proceed to disposition/adjudication. *Such circumstances are defined in the Events section on page 60. This caseload measure resumes calculation for time measures defined on page 59.*

**Dispositions - Entry of Judgment:** Dispositions are reported under the two disposition subcategories: original or reopened. For cases involving multiple parties/issues the manner of disposition should not be reported until all parties/issues have been resolved. The sum of the original and reopened disposition subcategories on the caseload work sheet should equal the grand total dispositions on the disposition worksheet for each case type. *These caseload measures end calculation for time measures defined on page 59.*

**Disposition - Original:** A count of cases for which an original entry of judgment has been filed. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

**Dispositions - Reopened:** A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

**Placed on Inactive Status:** A count of cases whose status has been administratively changed to inactive because the court will take no further action in the case until an event restores the case to the court's active pending caseload. *Such circumstances are defined in the Events section on page 60. This caseload measure suspends calculation for time measures defined on page 59.*

**End Pending - Active:** A count of cases that, at the end of the reporting period, are awaiting disposition.

**End Pending - Inactive:** A count of cases that, at the end of the reporting period, have been administratively classified as inactive.

**Set for Judicial Review:** A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review by a judicial officer (in chambers or by hearing) during the reporting period. (Example: After a delinquency petition is adjudicated, the court sets regular status review hearings on the conditions of sentence. The case would be counted in set for judicial review once each month until the status review is held or until the status review is cancelled). This count is not intended to count the number of hearings held but instead the pending number of cases scheduled for review.

**Self-Represented Litigant:** A count of cases that had one or more parties self-represented at any time during the life of the case. This measure is reported when the Dispositions - Entry of Judgment measure is reported. *See appendix A for additional information on this measurement.*

### **Caseload Time Measures Definitions**

**Age of Active Pending Caseload:** The number of active cases that are pending before the court, reported in defined time periods and measured in days, for each case type.

Original proceedings should use the following time periods:

- 0 - 90 days
- 91 - 180 days
- 181 - 365 days
- >365 days

Reopened proceedings should use the following time periods:

- 0 - 60 days
- 61 - 180 days
- > 180 days

The time frame for original proceedings begins at the date of recording the New Filing caseload inventory statistic until the date of this measurement.

The time frame for reopened proceedings begins at the date of recording the Reopened caseload inventory statistic until the date of this measurement.

Cases that are reopened do not include the time for previously resolved reopened events. Additionally, the time required between the New Filing and Dispositions - Original caseload inventory measures are not included for reopened proceedings.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic is not part of calculating the Age of Active Pending Caseload measurement.

The total number of cases reported in the Age of Active Pending Caseload measure should equal the number of cases reported in the End Pending - Active Caseload Inventory measures for each case type.

The time frame begins at the date of recording the New Filing caseload inventory statistic and ends at the date of recording the Dispositions - Original caseload inventory statistic.

For reopened cases, the time frame begins at the date of recording the Reopened caseload inventory statistic and ends at the date of recording the Dispositions - Reopened caseload inventory statistic. Time measures for reopened cases are independent from original proceedings and previously disposed reopened events.

The time from the date of recording a Placed on Inactive Status caseload inventory statistic to the date of recording a Reactivated caseload inventory statistic should not be included in calculating the Time to Disposition measurements.

The total number of cases generating the time to disposition measurement should be distinctly separated by original and reopened proceedings and reflect the total number of cases disposed during the reporting period, respectively.

Statistics indicating what events occurred in individual juvenile cases during a specified period. Events are listed by the status of caseload inventory (*see page 60*). Tracking case events is useful for tracking court caseflow.

## **Events in Juvenile Case Processing**

### **Count**

If a case has not been disposed at the end of the period it should be counted in End Pending and as Begin Pending in the subsequent period. Inactivated or Reactivated status for both pending categories is determined by the administratively decided triggering events listed below.

Cases can be reported as placed upon inactive status, reactivated, and reopened several times in the same reporting period.

**Date Petition Filed:** The date on which the court receives the formal written request to re-initiate a case and requesting a decision in a matter described therein.

**Date of Juvenile Hearing:** The date on which a petition in a juvenile action is heard.

**Date of Adjudication Outcome:** The date on which the court determines whether there is sufficient evidence to sustain the allegations in a juvenile petition.

### **Inactivating Event Definitions**

**Date of Deferred/Stayed Adjudication/Findings:** The date on which an order is issued on a case requiring the juvenile to complete a deferment program or the date an order is issued staying the matter until certain issues or circumstances are resolved.

This may either be a form of post-filing diversion (in which no hearing is conducted by the judge or no *ex parte* order is entered), or it may follow a hearing where the complaint is sustained but no formal finding or judgment is entered. In the case of a deferred adjudication, the juvenile abides by certain conditions that, if followed, allow the case to be later dismissed. If the conditions are not satisfied, the case comes back to court as any other case. In the case of a deferred finding, the case is dismissed on motion by the supervising authority when the conditions are satisfied. If they are not satisfied, the case may be reactivated and a new finding or order can be entered.

**Date Bench Warrant/Arrest Warrant Issued:** The date which the court enters an order issuing a warrant for arrest.

### **Reactivating Event Definitions**

**Date of Arrest:** The date on which the juvenile in a delinquency case is taken into custody by law enforcement officers on a warrant for an existing case.

**Date of Motion/Action to Quash Warrant:** The date a motion to quash warrant is received in District Court or is quashed by judicial order in Justice Court because a juvenile has been arrested or otherwise brought before court to continue case processing.

**Date of Return from Diversion:** The date at any point after the completion or termination of a diversion program on which delinquency proceedings against an alleged juvenile offender are reinstated and that person is convicted and sentenced or the charges dismissed.

### **Reopening Event Definitions**

**Date of Remittitur/Remanded:** The date on which the originating court receives the remittitur or remand from the District or Supreme Court after an appeal.

**Date of Motion for Reconsideration or Set Aside:** The date on which the originating court receives a motion for reconsideration or set aside. For protection orders, only count when the motion is filed for original (temporary) orders.

The following example and formulas refer to the USJR data provided in the monthly worksheets submitted to the AOC. The examples below are used also in the End Pending - Active and - Inactive Caseload calculations on the right.

The following formulas can be used for all case types. The name of each status type is listed with its corresponding line identifier in parentheses. The formulas are provided using both the status field name and line identifier and as the line identifier alone (bottom).

**Example Data**

1	Begin Pending	
	a Active	50
	b Inactive	15
2	New Filings	111
	a Charges	157
3	Reopened	14
4	Reactivated	23
5	Dispositions (Entry of Judgment)	
	a Original	106
	b Reopened	17
6	Placed on Inactive Status	42
7	End Pending	
	a Active, Total	33
	b Inactive, Total	34
8	Set for Judicial Review	151
9	Age of Active Pending Caseload	
	a Original, 0 - 90 days	22
	b Original, 91 - 180 days	1
	c Original, 181 - 365 days	2
	d Original, >365 days	1
	e Reopened, 0 - 60 days	6
	f Reopened, 61 - 180 days	1
	g Reopened, >180 days	0
10	Time to Disposition	
	a Original, Mean Number of Days	28
	b Original, Median Number of Days	23
	c Reopened, Mean Number of Days	35
	d Reopened, Median Number of Days	34
11	Self-Represented Litigant	18

**End Pending - Active Caseload Calculation**

Begin Pending - Active (1a)	50
+New Filings (2)	111
+Reopened (3)	14
+Reactivated (4)	23
	<u>198</u>
MINUS (-)	
Original Dispositions (5a)	106
+Reopened Dispositions (5b)	17
+Placed on Inactive Status (6)	42
	<u>165</u>
End Pending - Active, Total (7a)	<u>33</u>

**End Pending - Inactive Caseload Calculation**

Begin Pending - Inactive (1b)	15
+Placed on Inactive Status (6)	42
	<u>57</u>
MINUS (-)	
Reactivated Cases (4)	23
	<u>23</u>
End Pending - Inactive, Total (7b)	<u>34</u>

or row (7a) = {(1a)+(2)+(3)+(4)} - {(5a)+(5b)+(6)}  
 = [50+111+14+23] - [106+17+42]  
 = 198 - 165  
 = 33

row (7b) = {(1b)+(6)} - {(4)}  
 = [15+42] - [23]  
 = 57 - 23  
 = 34

## **Manners of Disposition**

### **Juvenile Manners of Disposition Listing**

#### **Petition Manners of Disposition**

1. Other Manner of Disposition
2. Non-Adjudicated/Dismissal
3. Waiver/Certify/Transfer to Adult Court
4. Transferred to Another Juvenile Court (before/during trial)
5. Dismissed (before trial)
6. Adjudicated by Default
7. Adjudicated by Plea/Admission/Stipulation
8. Dismissed (after diversion)
9. Disposed by Alternative Dispute Resolution
10. Adjudicated After Evidentiary Hearing/Bench (Non-Jury) Trial
  - a. Dismissed (during trial)
  - b. Acquittal
  - c. Guilty Plea/Admit with Sentence (during trial)
  - d. Conviction

#### **Protection Order Manners of Dispositions**

1. Other Manner of Disposition
2. Voluntary Dismissal
3. Involuntary Dismissal
4. Transferred
5. Denied without Hearing
6. Granted without Hearing
7. Denied with Hearing
8. Granted with Hearing

#### **Traffic and Civil Infraction Manners of Dispositions**

1. Other Manner of Disposition
2. Default Judgment (civil infraction only)
3. Uncontested Civil Violation
4. Bail Forfeiture
5. Nolle Prosequi (before trial)
6. Transferred (before/during trial)
7. Dismissed (before trial)
8. Guilty/Admit Plea with Sentence (before trial)
9. Dismissed (after diversion)
10. Contested Civil Infraction
  - a. FTA Default Judgment
  - b. Civil Infraction Dismissed
  - c. Civil Infraction Committed
11. Bench (Non-Jury) Trial
  - a. Dismissed (during trial)
  - b. Acquittal
  - c. Guilty Plea with Sentence (during trial)
  - d. Conviction

Statistics on manners of disposition for juvenile-related cases record the procedural manner in which cases are disposed and the significant type of decision employed to resolve the case. Manners of dispositions are used to record the adjudication of the case.

### **Unit of Count**

The juvenile-related case unit of count is the petition, citation (juvenile traffic only in some jurisdictions), or request (protection orders only)

Cases that require multiple types of adjudication are only counted as one type. Courts should use the hierarchy listed below when determining which manner of disposition to record: the larger the number, the higher the ranking in the hierarchy.

### **When to Count Dispositions**

Juvenile-related cases are considered “disposed” when adjudication of the matter occurs.

### **Petition Manners of Disposition**

A major classification category for juvenile petition case dispositions in which a case is disposed of by dismissal or withdrawal, default, plea/stipulation, alternative dispute resolution, evidentiary hearing, waiver/certification/transfer to adult court, or transfer to another juvenile court jurisdiction.

**Other Manner of Disposition:** A disposition classification for juvenile-related cases adjudicated by unknown specificity or dispositions not attributable to one of the other defined juvenile-related disposition categories.

Use “other manner of disposition” if an original disposition has not been previously entered on a petition, but the court orders the matter closed because the juvenile has reached adulthood.

**Non-Adjudicated/Dismissal/Nolle Prosequi:** A disposition classification for juvenile-related cases involving cases in which the citation, complaint, or petition is withdrawn by the petitioner and terminated by the court before trial.

A disposition classification for juvenile-related cases terminated by the court at the request of an outside

party, usually at the District Attorney’s Office, in which the case is not adjudicated.

Count the disposition here when a dismissal occurs because a warrant is quashed when the defendant was 21+ when arrested.

If the court renders a decision to dismiss the case because of its merits, record the case using the “Adjudicated After Evidentiary Hearing/Bench (Non-Jury) Trial” disposition types. If the court dismisses the case as a result of the juvenile complying with the terms of the court’s ruling or a plea, record the case under the appropriate disposition category.

For District Courts this disposition serves as the reporting row for Nolle Prosequi for juvenile traffic and civil infraction matters.

**Waiver/Certify/Transfer to Adult Court:** A disposition classification for juvenile-related cases in which the court makes a determination that a juvenile should be certified to adult court.

A subcategory of juvenile dispositions that involve a motion or pleading on a delinquency petition to transfer jurisdiction of the case to criminal court. This transfer motion/pleading can be filed at any point prior to adjudication of the delinquency petition.

These may include transfers that are discretionary, mandatory, or presumptive. Juvenile or family court decisions to transfer jurisdiction of the delinquency matter to criminal court effectively terminate juvenile court involvement and are treated as dispositions for statistical reporting purposes.

**Transferred to Another Juvenile Court (before/during trial):** A disposition classification for juvenile-related cases in which a judicial order transfers a case from one court to another jurisdiction. Transferred does not mean transferring the case from one judge or master to another judge or master within the same court. This is a bookkeeping device and does not imply legal resolution of issues alleged in the complaint.

For District Courts this disposition serves as the reporting row for Transferred (before/during trial) for juvenile traffic and civil infraction matters.

**Dismissed (before trial):** A disposition classification for juvenile cases dismissed by the court before the trial has started. If the case is dismissed during trial, after diversion, or during a contested civil infraction, use those dismissed dispositions instead. This disposition type is not applicable to dependency matters or Miscellaneous Petitions.

**Adjudicated by Default:** A disposition classification for juvenile-related cases in which the person who is the subject of the petition has failed to appear and respond to the complaint following appropriate notice and opportunity to respond. This disposition type is not applicable to delinquency matters.

**Adjudicated by Guilty Plea/Admission/Stipulation:** A disposition classification for juvenile-related cases in which the person who is the subject of the petition or citation admits or stipulates to the alleged facts. This statistical reporting category is analogous to a “guilty plea” in criminal court.

A disposition classification for juvenile-related cases for those cases in which the person who is the subject of the petition or citation admits having committed an offense with which s/he is charged, or a lesser included offense. Include admissions to lesser included offense, less than all charges, substituted charge, and nolo contendere (“no contest”) cases under this category.

For District Courts this disposition serves as the reporting row for Guilty Plea/Admit with Sentence (before trial) for juvenile traffic and civil infraction matters.

**Dismissed (after diversion):** A disposition classification for those juvenile cases in which official suspension of juvenile proceedings occurs against an alleged offender at any point after a recorded justice system intake but before the entering of a judgment, and referral of that person to a treatment or care program. If the defendant successfully completes the terms then the judge will dismiss the case against the defendants and discharge him or her.

Also include civil proceedings where diversion programs (e.g., traffic school) are completed before entry of judgment in exchange for dismissal of the cited infractions. This disposition type is not applicable to dependency matters or Miscellaneous Petitions.

### **Disposed by Alternative Dispute Resolution**

**(ADR):** A classification of juvenile-related dispositions involving cases that were referred by the court to programs such as mediation or arbitration and, through those processes, reached disposition. This disposition type is not applicable to delinquency matters.

### **Adjudicated After Evidentiary Hearing/Bench**

**(Non-Jury) Trial:** A subcategory of juvenile-related dispositions involving cases in which an evidentiary hearing or bench (non-jury) trial is held, and the judge makes a finding on the evidence. A disposition classification for juvenile-related cases for those cases in which a judge or master determines both the issues of fact and law in the case. Also referred to as a “contested hearing.”

See Bench Trial Dispositions listed in the Traffic and Civil Infraction Manners of Dispositions section on page 66 for specific disposition definitions.

### **Protection Order Dispositions**

**Other Manner of Disposition:** A disposition classification for protection orders adjudicated by unknown specificity or dispositions not attributable to one of the other defined protection order disposition categories.

**Voluntary Dismissal:** A disposition classification for protection orders adjudicated by dismissal by the court upon request or motion by the plaintiff, petitioner, or obligee that has voluntarily ceased to pursue a case.

**Involuntary Dismissal:** A disposition classification for protection orders adjudicated by an order of dismissal being entered because the legal time frame has expired. For instance, cases dismissed for want of prosecution. See NRCPC 41(e), JCRCP 4(i).

**Transferred:** A disposition classification for protection orders in which a judicial action or notice transfers a case from one court to another jurisdiction. Transferred does not mean transferring the case from one judge or master to another judge or master within the same court.

**Denied without Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered denying the request without any trials or hearings. Includes summary judgments.

**Granted without Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered granting the request without any trials or hearings. Includes summary judgments.

**Denied with Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered denying the request as a result of one or more evidentiary hearings.

**Granted with Hearing:** A disposition classification for protection orders adjudicated by a judgment being entered granting the request as a result of one or more evidentiary hearings.

### **Traffic and Civil Infraction Dispositions**

Record juvenile traffic and civil (non-traffic) infraction violations in the same manner as adult violations. Juvenile traffic and civil (non-traffic) infractions generally use the same disposition categories as adult violations.

Juvenile traffic cases that require multiple dispositions are only counted as one case type. Courts should use the hierarchy shown on page 62 when determining which manner of disposition to record: the larger the number, the higher the ranking in the hierarchy. Please note the hierarchy on page 62 differs from the criminal hierarchy listed on page 16, as preliminary and jury trial proceedings cannot occur.

**Other Manner of Disposition:** A disposition classification for juvenile traffic and civil infraction cases adjudicated by unknown specificity or dispositions not attributable to one of the other defined juvenile traffic and civil infraction disposition categories.

**Default Judgment (civil infraction only):** A disposition classification where a person does not respond to the civil infraction within 90 calendar days after issuance as defined in statute (NRS 484A.704).

**Uncontested Civil Violation (civil infraction only):**

A disposition classification where a person cited with a civil infraction does not contest committing the violation and submits full payment of the civil penalty and any associated fees.

**Bail Forfeiture:** (Bail forfeiture for juvenile traffic differs from the bail forfeiture defined in the Criminal Section. The definition listed below defines bail forfeiture in juvenile misdemeanor traffic matters only.)

A disposition classification for Juvenile traffic offense cases, in which the juvenile does not appear in court and a conviction on the charge(s) is entered where appropriate. This disposition type only applies to offenses that would be misdemeanors if committed by an adult and is not applicable to traffic and non-traffic civil infractions.

If a misdemeanor citation is mailed in/returned with no signature or place to admit guilt on the citation, then the disposition is Bail Forfeiture. *See also* Guilty Plea with Sentence (before trial) in the Criminal Section for the similar juvenile disposition of Guilty/Admit Plea with Sentence (before trial).

**Nolle Prosequi (before trial):** A disposition classification wherein the prosecutor formally declares before the start of a preliminary hearing or trial that he or she will not proceed further (e.g., NRS 174.085).

District Courts use the Non-Adjudicated/Dismissal/Nolle Prosequi disposition type on the Juvenile worksheet for this dispositional outcome.

**Transferred (before/during trial):** A disposition classification in which a judicial order transferred a case from one court to another jurisdiction (excluding binding a case over from a Justice Court to the appropriate District Court). Transferred does not mean transferring the case from one judge to another judge within the same court. Include orders of change of venue.

District Courts use the Transferred to Another Juvenile Court (before/during trial) disposition type on the Juvenile worksheet for this dispositional outcome.

**Dismissed (before trial):** A disposition classification for those juvenile cases dismissed by the court before the trial has started. If the case is dismissed during trial, after diversion, or during a contested civil infraction, use those dismissed dispositions.

**Guilty/Admit Plea with Sentence (before trial):** A disposition classification for those juvenile cases in which the defendant, before trial has been set or started, admits having committed an offense with which he is charged, or a lesser included offense, and the court imposes conditions.

If the case is resulted with a guilty plea during trial or preliminary hearing, use those guilty plea dispositions instead.

Include pleas to a lesser included offense, substituted charge, etc. Include no contest, *nolo contendere*, and *non vult contendere* cases under this category. If a person signs a citation admitting guilt or pleading *nolo contendere* and returns the citation with the fine, the disposition is Guilty Plea with Sentence (before trial). *See also* Bail Forfeitures.

District Courts use the Adjudicated by Guilty Plea/Admission/Stipulation disposition type on the Juvenile worksheet for this dispositional outcome.

**Dismissed (after diversion):** A disposition classification for those juvenile cases in which official suspension of juvenile proceedings occurs against an alleged offender at any point after a recorded justice system intake but before the entering of a judgment, and referral of that person to a treatment or care program. If the defendant successfully completes the terms then the judge will dismiss the case against the defendants and discharge him or her.

Also include civil proceedings where diversion programs (e.g., traffic school) are completed before entry of judgment in exchange for dismissal of the cited infractions.

[Note: This manner of disposition is not used if the diversion is part of the sentence imposed as part of a plea or conviction.]

**Contested Civil Infraction:** A disposition classification for civil infractions where a judicial officer determines whether a person has committed the alleged civil infraction.

Contested civil infraction is a summary category that includes the following sub-types.

- FTA Default Judgment
- Civil Infraction Dismissed
- Civil Infraction Committed

**FTA Default Judgment:** A disposition classification for contested civil violations where the person initially contests the allegations, fails to appear at the scheduled hearing, and forfeits bond as required by law (NRS 484A.704(5)).

**Civil Infraction Dismissed:** A disposition classification for contested civil violations where the court, based upon a preponderance of the evidence, finds that the person did not commit the alleged infraction.

**Civil Infraction Committed:** A disposition classification for contested civil violations where the court, based on the preponderance of the evidence, finds that the person committed the alleged infraction.

**Bench Trial:** A bench (non-jury) trial is one where a judicial officer determines both the issues of fact and law in a juvenile case.

Bench trial is a summary category that includes the following sub-types:

- Dismissed
- Acquittal
- Guilty Plea with Sentence (During Trial)
- Conviction

For statistical purposes, a Bench trial is initiated when an opening statement is made, the first evidence is introduced, or the first witness sworn, whichever comes first. Count the disposition of the bench trial upon occurrence of the appropriate listed bench trial disposition type.

If a bench trial ends in mistrial, the disposition is not recorded until the new trial is terminated by one of the above dispositions. If the case is dismissed after mistrial, count the case as dismissed.

**Dismissed (during bench trial):** Bench (non-jury) trial dispositions involving juvenile cases terminated by the court after the trial has started.

**Acquittal (bench trial):** Bench (non-jury) trial dispositions involving judgment of a court, based on the finding of a judge, that the defendant is not guilty of the offense(s).

**Guilty Plea with Sentence (during bench trial):** Bench (non-jury) trial dispositions in which the defendant, after the trial has started, admits having committed an offense with which he is charged, or a lesser included offense, and the court imposes a sentence.

Include pleas to a lesser included offense, less than all charges, substituted charge, etc. Include no contest, *nolo contendere* and *non vult contendere* cases under this category, as applicable.

**Conviction (bench trial):** Bench (non-jury) trial dispositions involving judgment by a court based on the finding of a judge that the defendant is guilty of the offense(s) (or a lesser included offense) of which he has been charged.

## Appendix A

### Self-Represented Litigant (SRL) Caseload Definitions

#### Self-Represented Litigant Case

The caseload inventory for self-represented litigants (SRL) captures the number of disposed cases, during a specific period, in which there were self-represented litigants during the life of the cases.

#### Unit of Count

**Self-Represented Litigant:** A self-represented litigant is a person who advocates on his or her own behalf before a court, rather than being represented by an attorney. These litigants are also known as pro se or pro per litigants.

The unit of count for a self-represented litigant case is the case, not the litigant(s) or parties. A case with SRL should be counted as a single case, whether that case has one, two, or more self-represented litigants.

Cases where one or more parties obtained limited scope legal assistance (e.g., friend of the court) but no notice of appearance or authorization to represent was filed with the court, or cases where counsel was not appointed, should be counted as SRL cases.

#### When to Count Filings

##### **Self-Represented Litigant:**

A SRL case should be counted as a SRL case if one or more parties were self-represented at any time during the life of the case.

For plaintiffs/petitioners, the life of the case is from filing to disposition.

For defendants/respondents, the life of the case is from the end of arraignment/answer to disposition, as the arraignment/answer is the point that formal charges have been filed, and/is the initiation of the adversarial relationship, and/is generally the first opportunity that defendants/respondents provide the court with their representation status (i.e., to tell the court that an attorney has been retained, to request that the court appoint an attorney, or to inform the court of the defendant's wish to be self-represented).

After an original disposition has been entered in a case, a case may be reopened for post adjudication proceedings. A reopened case should be counted as a SRL case if one or more parties were ever self-represented during the time a case was reopened to when the case was redispensed.

A case may be reported as a SRL case more than once. For instance, a case may be reported as a SRL case if any party in the case was self-represented from the filing/arraignment date to when the original disposition was entered. A case should also be reported as a SRL case if any party in the case was self-represented from when the case was reopened to the entry of a reopened disposition.

A SRL case should be counted at the point of disposition of the case (i.e., when a new or reopened case receives an original or reopened disposition).

## **Court Interpreter Caseload Definitions**

### **Interpreter Caseload**

The caseload inventory for Court Interpreters captures the number of disposed cases during a specific period that involved the use of a court interpreter at any time during the life of a case.

**Court Interpreter:** An interpreter is a person appointed and qualified by the court, or appointed by the court's assignment process to provide interpretation of court proceedings in any or all three modes of interpretation (consecutive interpretation, simultaneous interpretation, and sight translation); for a limited English proficient (LEP) party from that person's native language to English and vice versa. American Sign language interpretation is included. (The court's interpreter assignment occurs when the LEP party is assigned a court interpreter through an administrative process after a need for an interpreter has been identified by the court.)

### **Cases with Court Interpreter – Unit of Count**

**Cases with Court Interpreter:** A summary category count of disposed cases in which at any point during the life of the case one or more parties had a sign language or spoken language interpreter assigned by the court.

The unit of count is the case, not the litigant(s) or party assigned an interpreter. A case with a court interpreter should be counted as a single case, whether that case has one, two, or more interpreters assigned.

A court interpreter case should be counted as a case with a court interpreter when interpretation of a court proceeding was provided in person, via telephonic or other audio/visual court proceedings, by court appointment, or by the court's interpreter assignment process at any time during the life of a case. The life of the case is from filing to disposition and from reopened to reopened disposition.

A reopened case should be counted as a case with court interpreter if one or more parties had a language interpreter assigned by the court from the time a case was reopened to when the case was redisposed.

A case should be counted at the point of disposition of the case (i.e., when a new, reopened, or reactivated case receives an original or reopened disposition). Interpretation ordered by the court may be provided by anyone the court deems qualified through case assignment and/or voir dire proceedings. Do not count cases in which interpretation was provided on an ad-hoc basis by a family member, friend, or court staff.

### **Languages Used – Unit of Count**

A separate summary count of interpreter languages used by each party in the case to the time of disposition. To better understand the types of interpreters utilized by the court, the different languages used by each party (e.g., plaintiff, defendant, witness) in a case should be reported by the courts as additional caseload measurements. Languages should be counted for each unique language used for each unique party associated with the case, when the case is disposed. The specific language used should be counted only once regardless of the number of times the unique party receives assistance for the specific language (e.g., if a case has a defendant and a witness both needing Spanish interpreters, two counts would be reported on the Spanish language additional caseload statistic, because each unique party is using a separate Spanish interpreter. In contrast, if the case had two Spanish interpreters assisting the same defendant during a trial, the case would receive only one count reported on the Spanish language additional caseload statistic).

The following subcategory languages should be tracked for interpreter statistics: Spanish, Tagalog, Chinese (Mandarin/Cantonese), American Sign Language, and Other Languages.

## Appendix B

### Acknowledgements

Eight workgroups were formed to develop various components of the *Dictionary*. These workgroups consisted of judicial officers, court administrators and their representatives, and county clerks and their representatives. Each workgroup participated in a series of conference calls, facilitated by AOC staff and its consultants, resulting in the creation of the entire content of the *Dictionary*. As a starting point, each workgroup began with the national model developed by the National Center for State Courts (NCSC) and the Conference of State Court Administrators (COSCA) in the 1980s. Special thanks to the following people for providing their time, energy, and insight listed on pages 65-68.

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## Appendix C

This appendix provides a list of abbreviations used in the *Dictionary* and their meanings.

ADR	Alternative Dispute Resolution
AOC	Administrative Office of the Courts
CHINS	Child or children in need of supervision
COSCA	Conference of State Court Administrators
DMV/PS	Department of Motor Vehicles & Public Safety
DUI	Driving Under the Influence (of alcohol or drugs)
LEO	Law Enforcement Officer
NCSC	National Center for State Courts
NRS	Nevada Revised Statutes
STP	Short Trial Program
TPO	Temporary Protection Order
UIFSA	Uniform Interstate Family Support Act
URESAs	Uniform Reciprocal Enforcement of Support Act
USJR	Uniform System for Judicial Records

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