

FILED

OCT 31 2012

JOEY HASTINGS, CLERK

By: *Plane*
DEPUTY CLERK

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2
3 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
4 IN AND FOR THE COUNTY OF WASHOE
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6 IN THE ADMINISTRATIVE MATTER OF:

7 GENERAL ELECTION 2012 EMERGENCY
8 MATTERS AND ELECTION JUDGE
9 ASSIGNMENT
/

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11 ADMINISTRATIVE ORDER 2012-12

12 WHEREAS the District Court has received several inquiries about the availability
13 of the Second Judicial District Court to adjudicate emergency election disputes during
14 the 2012 general election on November 6, 2012, and

15 WHEREAS the interests of justice are advanced if the same judge hears all
16 election disputes arising between election day and the certification of the elections, and

17 WHEREAS the Second Judicial District Court uses a random selection process for
18 identifying a judge to hear consolidated and related matters, and

19 WHEREAS the Chief Judge is responsible for the administrative processes of the
20 court, and

21 WHEREAS in prior contested election cases, the clerk's minutes and court
22 reporter's notes have been required by reviewing courts and have proven invaluable to
23 the parties and public in understanding the process and decisions of the court, and

24 WHEREAS a uniform administrative process will assist the Clerk of Court,
25 judicial officer assigned to the case(s), the parties, counsel and public,

26 **IT IS HEREBY ORDERED:**

27 1. The Chief Judge directs the Clerk of Court to open the court filing office at
28 7:00 a.m. November 6, 2012, and not close the filing office on that day until notified by
the Registrar of Voters that the last polling location in Washoe County has closed.

1 2. During the extended hours of operation, the Clerk of Court must only
2 accept filings related to the 2012 general election.

3 3. The Clerk of Court must accept filings that are accompanied by
4 appropriate fees.

5 4. The Clerk of Court shall randomly select, through the normal case
6 assignment process, the 2012 General Election Judge and no advance selection of the
7 Election Judge shall take place.

8 5. The Election Judge shall only be selected if a matter relating to the 2012
9 general election is filed between November 6, 2012, and the certification of all 2012
10 general elections within the county.

11 6. If a matter is filed or heard on November 6, 2012, after regular business
12 hours, the matter will be clerked by an assigned court clerk and reported by a reporter
13 selected by the Election Judge.

14 7. Subsequent hearings will be clerked by a court clerk regularly assigned to
15 the Election Judge and reported by a reporter selected by the Election Judge.

16 8. All matters shall be heard by the Election Judge on the record with a court
17 clerk and court reporter present; no ex parte decisions will be entered by the Election
18 Judge unless supported by exigent circumstances.

19 9. The Election Judge will preside over all election contests that are filed
20 between November 6, 2012, and the day after the last date any election on the 2012
21 general election ballot is certified.

22 10. The Clerk of Court will notify the Election Judge as soon as the judge has
23 been randomly selected.


24 11. The Clerk of Court shall lodge all notices of appearance submitted to the
25 Clerk through the court, and shall file all notices of appearance accompanied by the
26 appropriate court fees.

1 12. The Clerk of Court shall expeditiously make all matters relating to this
2 administrative order available through the court e-filing system and to the public,
3 including but not limited to documents, transcripts, and clerk's minutes.

4 13. Any general jurisdiction district judge who will be unavailable on
5 November 6, 2012, or who cannot ethically serve as the Election Judge will prepare and
6 sign an order so declaring and transmit the order to the Clerk of Court with instructions
7 to enter the order if that judge is randomly selected to be the Election Judge.

8 14. This administrative order shall be in effect until December 31, 2013, or
9 until specifically modified or rescinded by subsequent administrative order.

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11 DATED this 31st day of October, 2012

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15 David A. Hardy
16 Chief District Judge
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I certify that I am an employee of SECOND JUDICIAL DISTRICT COURT; that on the 31st day of OCTOBER, 2012, I hand delivered, a true and correct copy of the attached Administrative Order, addressed to:

Judges of the Second Judicial District Court

Honorable Janet J. Berry-Department 1
Honorable Egan Walker-Department 2
Honorable Jerry Polaha-Department 3
Honorable Connie Steinheimer-Department 4
Presiding Judge Deborah Schumacher-Department 5
Honorable Brent Adams-Department 6
Honorable Patrick Flanagan-Department 7
Honorable Scott N. Freeman-Department 9
Honorable Steven P. Elliott-Department 10
Honorable Chuck Weller-Department 11
Honorable Frances Doherty-Department 12
Honorable Bridget Robb Peck-Department 13
Honorable Linda Gardner-Department 14

District Court Administrator/Clerk of the Court
Second Judicial District Court



Kaili Lane
Court Clerk