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HOWARD M CONVERS, CLERK

IN THE FOR THE COUNTY OF WASHOE

IN THE ADMINISTRATIVE MATTER OF:

GENERAL ELECTION 2010 EMERGENCY MATTERS AND

ELECTION JUDGE ASSIGNMENT

ADMINISTRATIVE ORDER 10-05

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

WHEREAS the District Court has received inquiries from several parties as to the availability of the Second Judicial District Court for after hours emergencies during the 2010 General Election on November 2, 2010, and

WHEREAS the sound administration of justice and in support of consistency and predictability, the same judge should hear all election litigation arising between election day and the Certification of the Elections as to all candidates, and

WHEREAS the Second Judicial District Court has a strong history of utilizing the random selection process for securing a judge to initially hear consolidated and related matters, and

WHEREAS the Chief Judge of the Court is responsible for the overall administrative process of the Court, and

WHEREAS in prior contested election cases, the clerk's minutes and Court
Reporters notes have been required by reviewing Courts and have proven invaluable to
the parties and public in understanding the process and decisions of the Court, and

WHEREAS a uniform administrative process will assist the Clerk of the Court, Judicial Officer assigned to the case(s), the parties, counsel and public,

IT IS HEREBY ORDERED:

- 1. The Chief Judge does direct the Clerk to open the Court Filing Office at 7:00 a.m. November 2, 2010, 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;
- 2. During the <u>extended</u> hours of operation, the Clerk must only accept filings related to the 2010 General Election;
 - 3. The Clerk must accept filings that are accompanied by appropriate fees;
- 4. The Clerk will randomly select, through the normal case assignment process, the 2010 General "Election Judge," no advance selection of the "Election Judge" shall take place;
- 5. The "Election Judge" shall only be selected if a matter relating to the 2010 General Election is filed between November 2, 2010 and the certification of all 2010 General Elections within the County;
- 6. If a matter is filed or heard on November 2, 2008 after regular business hours, the matter will be "clerked" by Deputy Clerk Prince, and court reported by Captions Unlimited.
- 7. Subsequent hearings will be "clerked" by the Deputy Clerk regularly assigned to the "Election Judge" and court reported by the reporter selected by the "Election Judge".
- 8. All matters shall be heard by the "Election Judge" on the record with a Deputy Clerk and Court Reporter present; no ex parte decisions will be entered by the "Election Judge" unless supported by exigent circumstances.
- 9. Once the "Election Judge" is selected, that Judge will handle all election contests which come to the Second Judicial District Court regarding the 2010 General Election which are filed between November 2, 2010 and until the day after the last date any election on the 2010 General Election ballot is certified.

- 10. The Clerk of the Court will notify the "Election Judge" as soon as the judge has been randomly selected;
- 11. The Clerk of the Court shall lodge all Notice of Appearance submitted to the Clerk through the Court, said Notice shall be filed by the Clerk if an action is filed regarding the 2010 General Election, if the lodged Notice is accompanied by the appropriate Court Fees;
- 12. The Clerk of the Court shall expeditiously make all matters relating to this Order available through the Court e-filing system and to the public, including but not limited to documents, transcripts, and minutes of the Clerk.
- 13. The Chief Judge shall invite all persons who have expressed an interest in being notified of who the "Election Judge" for the Second Judicial District Court will be, to an open round table discussion November 1, 2010 at 1:30 p.m., with the Clerk of the Court facilitated by the Chief Judge of the District, wherein all these procedures will be reviewed and a protocol developed for November 2, 2010.
- 14. The Chief Judge and Clerk of the Court shall review the outcome of the November 1, 2010 meeting and the contents of this Administrative Order with each Second Judicial District Court General Jurisdiction Judge.
- 15. Any General Jurisdiction District Judge who can not ethically serve as the "Election Judge" will prepare and sign an Order so declaring; transmit the Order to the Clerk of the Court with instructions to enter the Order if that Judge is randomly selected to be the "Election Judge", and if the Order is not necessary once the "Election Judge" has been selected, the Clerk shall return the signed Order, not entered by the Clerk, to the originating Judge for destruction.
- 16. This Administrative Order shall be in effect until specifically modified or rescinded by subsequent Administrative Order.

DATED this 30 day of October, 2010.

CHIEF DISTRICT JUDGE CONNIE J. STEINHEIMER