



Nevada Courts Statistical Reporting Dictionary

Revision 3.3
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**Administrative Office of the Courts
Research and Statistics Unit**



This report may be duplicated as needed for court staff.

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Revision 2.4, October 2003, superseded all previous revisions (no interim page replacements).

Revision 2.3, February 2003, superseded all previous revisions and interim page replacements.

Revision 2.0, March 2001 superseded Nevada Courts Statistical Reporting Model, Revision 1.0, dated May 1999.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 implementing the Uniform System for Judicial Records (USJR) Nevada Court Statistical Reporting Model. The order 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 blueprint 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 A).

The *Dictionary* is divided into four sections: criminal, civil, family, and juvenile. Each section is composed of the following four areas for collecting statistical data [Note: only caseload inventory and manners of disposition are currently contained in this document].

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 number of requests for protection orders and number of jury trials.

Manners of Disposition: Statistics indicating the number of cases disposed during a specified period, broken out by the several ways cases can be disposed within each case type. Examples include: "stipulated judgment," "voluntary dismissal," and "jury trial – conviction." All four sections record adjudicated manners of dispositions. The civil and family sections also record manners of "final" disposition.

Events in Court Case Processing: Statistics indicating what events occurred in individual cases during a specified period, broken out by the many events within each case type. Tracking case events is useful for tracking court case flow. Examples of significant events are "date of filing," "date of first pretrial conference," and "date of sentencing."

Status of Pending Cases: Summary statistics indicating the number of 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. Examples include: "awaiting trial," "awaiting preliminary hearing," and "awaiting sentencing."

All four data sets yield valuable information, both at the local and state levels. However, it is not practical, nor feasible, for Nevada courts to start capturing and reporting all four data sets immediately. Consequently, the data sets have been prioritized in terms of complexity in measuring and in terms of one data set building on a previous set. For example, manner of disposition and status of pending cases build upon information captured as part of the caseload inventory.

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: 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 the section. Each case type, sub-type, proceeding, and additional data item is defined also.

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, with planning and effort, courts will eventually be able to accurately classify cases into the appropriate categories.

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 of a case. For example, one court might count a case as "closed" when the defendant is fined and sentenced, and another court considers the case "closed" at the time of sentencing and fining, but "final" only when time is served and fine paid in full. When trying to compare statistics on "closed" 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 Section

Criminal Case Category, Case Subcategories, and Case Type Definitions

Criminal 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 category are reported by District, Justice, and Municipal Courts.

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

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

For felony, gross misdemeanor, and misdemeanor cases (including traffic), the unit of count is a single defendant. For cases where multiple charges are involved, courts will use a hierarchy (described on page 10) when classifying the case for statistical purposes.

Criminal filings in District Court are counted when the court receives notification of a bind over from a Justice Court or 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 and traffic 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.]

Felony Case: A subcategory of criminal cases 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. Probation violations are counted as reopened felony filings and dispositions.

Felony is a criminal subcategory that includes the following case types:

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

Felony cases are reported by District and Justice Courts.

Felony – Crimes Against Person(s) Case: A felony case type in which a defendant is charged with a felony against person(s). Examples include: assault with a deadly weapon, rape, kidnapping, murder, manslaughter, and robbery. Domestic violence is counted as a separate case type and should not be included here. These crimes are classified and defined by the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program (<http://www.fbi.gov/ucr/ucr.htm>).

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

Criminal Case Category, Case Subcategories, and Case Type Listing

Criminal Case:

Felony Case

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

Gross Misdemeanor Case

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

Misdemeanor – Non-traffic Case

- Crimes Against Person(s) Case
- Domestic Violence Case
- Elder Abuse Case
- Protection Order Violation Case
- Crimes Against Property Case
- Drugs Case
- Weapons Case

- Public Order Case

- Other Non-Traffic Misdemeanors Case

Misdemeanor – Traffic Case

- Motor Vehicle - DUI Case
- Motor Vehicle - Reckless Driving Case
- Traffic Case
- Parking Case

Appeal from Limited Jurisdiction Courts Case

Additional Criminal Caseload Statistics:

- Remanded Criminal Cases
- Aggressive Driving Charges
- Graffiti Charges
- Bench (Non-Jury) Trials
- Jury Trials

Death Penalty (Rule 250) Statistics:

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

Additional Criminal Proceedings:

- Extraordinary Writ
- Search Warrant (includes wire taps, pen registers)
- Probable Cause Findings/Hearing
- Extradition Hearing
- Coroner's Inquest Hearing
- 72-Hour Hearing
- Arrestment Hearing
- Preliminary Hearing
- Sentencing Hearing
- Grand Jury Proceeding
- Post-Adjudication Criminal Case Activity
 - Request for Modification of Sentence
 - Revocation Hearing
 - 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 – Domestic Violence Case: A felony 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.

Felony - Elder Abuse Case: A gross misdemeanor case type that involves a charge of abusing, neglecting, exploiting, or isolating older persons. The first offense is counted as a gross misdemeanor. The second and subsequent offenses are counted as felonies (NRS 200.5092, 200.5099).

Exploitation of an older person is counted as a misdemeanor if damages caused are less than \$250.

Elder abuse includes 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 an elderly person or 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 an elderly person. *Abandonment* is the desertion of an elderly person by an individual responsible for providing care or by a person with physical custody of an elderly person. *Financial or fiduciary abuse* is the illegal or improper use of an elderly person's funds, property, or assets, or the conversion or misappropriation of such

property, for uses other than for the elderly person. *Self-neglect* is behavior of an elderly person that threatens his/her own health or safety.

Felony - Child Abuse and Neglect Case: A subcategory of criminal cases in which a person 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).

When no substantial bodily harm results to the child in such cases where the defendant is the guardian, or other person responsible for the child, and it is the first offense, the case is counted as a gross misdemeanor.

Felony - Protection Order Violation Case: A felony case type alleging violation of a court order that was issued to help protect an individual from stalking and harassment or to protect minors from harm (e.g., NRS 33.400 and 200.591).

Felony – Crimes Against Property Case: A felony case type in which a defendant is charged with a crime against property. Examples include grand larceny, burglary, auto theft, arson, forgery, fraud, embezzlement, vandalism, and bad checks. These crimes are classified and defined by the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program (<http://www.fbi.gov/ucr/ucr.htm>).

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

Felony – Drug Case: A felony case type involving the illegal possession, sale, use, manufacture, trafficking, or furnishing of drugs (e.g., NRS 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 (<http://www.fbi.gov/ucr/ucr.htm>).

Felony – Weapon Case: A felony 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 (<http://www.fbi.gov/ucr/ucr.htm>).

Felony – Motor Vehicle - DUI Case: A felony 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.

Felony – Motor Vehicle - Reckless Driving Case: A felony 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.

Felony – Motor Vehicle - Other Case: A felony case type including cases of unknown specificity or cases not attributable to one of the other previously defined motor vehicle case types.

Felony – Public Order Case: A felony case type involving violations of liquor laws, drunkenness, gambling, and prostitution. Some jurisdictions refer to these as “public nuisance” or “quality of life” offenses, or “crimes against society.”

Felony – Other Felony Case: A felony case type including cases of unknown specificity or cases not attributable to one of the other previously defined felony case categories.

Gross Misdemeanor Case: A subcategory of criminal cases 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, or traffic case.

Gross misdemeanor is a criminal subcategory that includes the following case types:

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

Gross misdemeanor cases are reported by District and Justice Courts.

Gross Misdemeanor – Crimes Against Person(s) Case : See definition under felony case type.

Gross Misdemeanor - Domestic Violence Case: See definition under felony case type.

Gross Misdemeanor - Elder Abuse Case: See definition under Felony case Type.

Gross Misdemeanor - Child Abuse and Neglect Case: See definition under felony case type

Gross Misdemeanor - Protection Order Violation Case: See definition under felony case type.

Gross Misdemeanor – Crimes Against Property Case: See definition under felony case type.

Gross Misdemeanor - Drug Case: See definition under felony case type.

Gross Misdemeanor - Weapon Case: See definition under felony case type.

Gross Misdemeanor - Motor Vehicle - Other Case: See definition under felony case type.

Gross Misdemeanor - Public Order Case: See definition under felony case type.

Gross Misdemeanor - Other Gross Misdemeanor Case: A gross misdemeanor case type including cases of unknown specificity or cases not attributable to one of the other previously defined gross misdemeanor case categories.

Misdemeanor Non-Traffic Case: A criminal 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).

Misdemeanor non-traffic is a criminal subcategory that includes the following case types:

- Crimes Against Person(s) Case
- Domestic Violence Case
- Elder Abuse Case
- Protection Order Violation Case
- Crimes Against Property Case
- Drugs Case
- Weapons Case
- Public Order Case
- Other Misdemeanor Non-Traffic Case

Misdemeanor non-traffic cases are reported by Justice and Municipal Courts.

Misdemeanor - Crimes Against Person Case: See definition under felony case type.

Misdemeanor - Domestic Violence Case: See definition under felony case type.

Misdemeanor - Elder Abuse Case: See definition under felony case type.

Exploitation of an elderly person is counted as a misdemeanor if damages caused are less than \$250.

Misdemeanor - Protection Order Violation Case: A misdemeanor case type alleging violation of a court order that was issued to help protect an individual from domestic violence or harassment in the workplace (e.g., NRS 33.100 and 33.350).

Misdemeanor - Crimes Against Property Case: See definition under felony case type.

Misdemeanor - Drug Case: See definition under felony case type.

Misdemeanor - Weapon Case: See definition under felony case type.

Misdemeanor - Public Order Case: A misdemeanor case type involving disorderly conduct, vagrancy, and commercial vice. Some jurisdictions refer to these as “public nuisance” or “quality of life” offenses, or “crimes against society.”

Misdemeanor - Other Non-Traffic Misdemeanor Case: A misdemeanor case type including ones of unknown specificity or cases not attributable to one of the other previously defined non-traffic misdemeanor case categories.

Misdemeanor Traffic Case: A criminal subcategory for Justice and Municipal Courts in which a defendant is charged with the violation of traffic law, local ordinances pertaining to traffic, or federal regulations pertaining to traffic that are not specifically defined as a criminal matter.

Misdemeanor traffic cases are reported by Justice and Municipal Courts.

Misdemeanor - Motor Vehicle - DUI Case: A misdemeanor case type that involves a charge of driving under the influence of either alcohol or drugs (DUI), or driving while impaired. The Uniform Crime Reporting definition includes “driving or operating any vehicle or common carrier while drunk or under the influence of liquor or narcotics.” First or second offenses are misdemeanors as long as no death or substantial bodily harm was caused.

Misdemeanor - Motor Vehicle - Reckless Driving Case: See definition under felony case type. However, for misdemeanor reckless driving charges, no death or substantial bodily harm occurred.

Misdemeanor - Traffic Violation Case: A misdemeanor case type that involves all violations of traffic laws that do not pertain to the parking of a motor vehicle in violation of a law or ordinance. Examples include speeding, driving with expired tags or license, hit and run, operating a vehicle after revocation or suspension of license, fleeing and eluding, and

breaking other rules of the road. Include motorized watercraft and aircraft violations in traffic as well.

Parking Violation 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.

Appeal from Limited Jurisdiction Courts Case: A criminal subcategory in which the District Court reviews on appeal, the judgment of a criminal case heard in Justice or Municipal Court.

Criminal case appeals heard in general jurisdiction courts include appeals of limited jurisdiction courts. The filing in a general jurisdiction court having incidental appellate jurisdiction of a notice of appeal or of a complaint 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.

Appeals from limited jurisdiction courts are reported by District Courts.

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:

- Remanded Criminal Cases
- Aggressive Driving Charges
- Graffiti Charges
- Bench Trials
- Jury Trials

Remanded Criminal Cases: The number of criminal cases remanded back to the originating court from the District or Supreme Court after an appeal during the specified reporting period.

Aggressive Driving Charges: The number of aggressive driving charges (NRS 484B.650) filed during the specified reporting period.

Graffiti Charges: The number of graffiti charges (e.g., NRS 206.125 and NRS 206.330; NRS 206.005 defines) filed during the specified reporting period.

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. Count each bench (non-jury) trial only once, regardless of how many defendants or criminal cases are heard as a part of the trial. For example, if a codefendant case with two defendants has one trial, count as one trial. If the case had separate trials for each defendant, count as two trials. Each retrial is counted as a separate trial.

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. Count each jury trial only once, regardless of how many defendants or criminal cases are heard as a part of the trial. For example, if a codefendant case with two defendants has one trial, count as one trial. If the case had separate trials for each defendant, count as two trials. Each retrial is counted as a separate trial.

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.

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)
- Probable Cause Finding/Hearing
- Extradition Hearing
- Coroner’s Inquest Hearing
- 72-Hour Hearing
- Arraignment Hearing
- Preliminary Hearing
- Sentencing Hearing
- Grand Jury Proceeding
- Post-Adjudication Criminal Case Activity
 - Request for Modification of Sentence
 - Revocation Hearing
 - 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 not associated with an existing criminal case.

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.

Probable Cause Finding/Hearing: A type of criminal proceeding before a Justice Court 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 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.

Coroner’s Inquest Hearing: A type of criminal proceeding involving a proceeding before a court in which evidence is presented so that the court can determine whether a death occurred as a result of violence, under suspicious conditions, or while in prison.

The unit of count for coroner’s inquest hearings is an individual hearing. Coroner’s inquest hearings are counted when the hearing is conducted.

Coroner’s inquest hearings are reported by District and Justice Courts.

72-Hour Hearing: A type of criminal proceeding before a Justice Court, in which 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 nonjudicial 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.

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.

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

- Request for Modification of Sentence
- Revocation Hearing
- Post-Conviction Relief

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

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.

Revocation Hearing: A type of post-adjudication criminal activity involving a motion to revoke probation due to an alleged violation of one or more

conditions of probation (usually from the Department of Parole and Probation) or suspended sentence.

The unit of count for revocation hearings is a single defendant, regardless of the number of charges involved. Revocation hearings are counted when the initiating document (e.g., violation report) is received by the court.

Revocation hearings 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 adjournments in the scheduled preliminary hearing date granted on an application by one of the parties or ordered by the court in a criminal or contested traffic case. The courts are to record the reason for continuance (court need, prosecution request, defendant request, defense attorney request, or other).

Trial Continuances: The number of adjournments in the scheduled trial date granted on an application by one of the parties or ordered by the court in a criminal or contested traffic case. The courts are to record the reason for continuance (court need, prosecution request, defendant request, defense attorney request, or other).

Caseload Inventory

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.

Unit of Count

For felony, gross misdemeanor, and misdemeanor 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 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. Failure to appear charges 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. Elder 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. Motor Vehicle - DUI Case
10. Motor Vehicle - Reckless Driving Case
11. Motor Vehicle - Other Case
12. Public Order Case
13. Other Felony Case

GROSS MISDEMEANOR CASE

14. Crime Against Person(s) Case
15. Domestic Violence Case
16. Elder 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. Motor Vehicle - Other Case
23. Public Order Case
24. Other Gross Misdemeanor Case

MISDEMEANOR – NON-TRAFFIC CASE

25. Crime Against Person(s) Case
26. Domestic Violence Case
27. Elder Abuse Case
28. Protection Order Violation Case
29. Crime Against Property Case
30. Drugs Case
31. Weapons Case
32. Public Order Case
33. Other Non-Traffic Misdemeanors Case

MISDEMEANOR – TRAFFIC CASE

34. Motor Vehicle - DUI Case
35. Motor Vehicle - Reckless Driving Case
36. Traffic Violation Case
37. Parking Violation Case

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. *Such circumstances are defined in the Events section on page 13.*

New Filings: A count of cases (by defendant) that have been filed with the court for the first time. Criminal filings in District Court are counted when the court receives notification of a bind over from a Justice Court or 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. Misdemeanor and traffic 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 complaint or citation for cases that have been filed with the court for the first time. 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.

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 are included. When a reopened case is disposed of, report the disposition as a Reopened Disposition (see below).

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 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.

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 13.*

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. *Such circumstances are defined in the Events section on page 13.*

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
	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	33
	b Inactive	34

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	(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	(7b)	<hr/> <hr/> 34

or $7a = (1a+2+3+4) - (5a+5b+6)$
 $= (50+111+14+23) - (106+17+42)$

$7b = (1b+6) - 4$
 $= (15+42) - 23$

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 p. 11). 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 notification of a bind over from a Justice Court or 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 Attorney's Office or law enforcement agency.

Date of Filing (Justice and Municipal Courts - Misdemeanor only): The date on which the charging document (e.g., citation or complaint) is received by the court for misdemeanor and traffic 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 (NRS 199.335) or failure to obey (NRS 484A.670, NRS 22.040).

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 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.

Unit of Count

For felony, gross misdemeanor, and misdemeanor 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 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 charges are disposed, whichever occurs last.

Even though post-adjudication activity is not currently counted, courts are encouraged to track the post-adjudication activities of their criminal cases (some of which are documented in “Criminal Proceedings”).

Manners of Disposition Listing

District Court

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

Justice and Municipal Court

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

Manners of Disposition Definitions

(Definitions are arranged alphabetically.)

Acquittal: A subclassification of both jury and bench (non-jury) trials involving judgment of a court, based on the finding of a judge or jury, that the defendant is not guilty of the offense(s).

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. This manner of disposition is not used for felony and gross misdemeanor cases in Justice Courts.

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.

Bail Forfeiture: A disposition classification for misdemeanor and traffic cases, for 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).

Bindover: A subclassification of preliminary hearing for felony and gross misdemeanor cases heard in Justice Court in which the defendant is removed (or bound over) to District Court after the judge finds probable cause.

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

“Adjudication withheld” after a trial begins and “sentence withheld” after trial begins are reported as convictions.

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. This manner of disposition is not used for felony and gross misdemeanor cases in Justice Courts. [Note: This manner of disposition is not used if the diversion is part of the sentence imposed as part of a plea or conviction.]

Dismissed (before preliminary hearing): A disposition classification for felony and gross misdemeanor cases heard in Justice Court that are terminated by the court before the preliminary hearing has started.

Dismissed (before trial): A disposition classification for those criminal cases terminated by the court before the trial has started. This manner of disposition is not used for felony and gross misdemeanor cases in Justice Courts.

Dismissed (during preliminary hearing): A subclassification of preliminary hearing for felony and gross misdemeanor cases heard in Justice Court that are terminated by the court during the preliminary hearing. Include “discharged” cases (NRS 171.206) here when appropriate.

Dismissed (during trial): A subclassification of jury and bench (non-jury) trials involving criminal cases terminated by the court after the trial has started.

Guilty Plea with Sentence (before preliminary hearing): A disposition classification for felony and gross misdemeanor cases heard in Justice Court in which the defendant, before 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 *nolo contendere* and *non vult contendere* cases under this category, as applicable.

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 sentence. This manner of disposition is not used for felony and gross misdemeanor cases in Justice Courts.

Include pleas to a lesser included offense, substituted charge, etc. Include *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.

Guilty Plea with Sentence (during preliminary hearing): A subclassification of preliminary hearing for felony and gross misdemeanor cases heard in Justice Court in which the defendant, during the preliminary hearing, admits having committed an amended 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 *nolo contendere* and *non vult contendere* cases under this category, as applicable.

Guilty Plea with Sentence (during trial): A subclassification of both jury and bench (non-jury) trial 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 *nolo contendere* and *non vult contendere* cases under this category, as applicable.

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. This manner of disposition is not used for felony and gross misdemeanor cases in Justice Courts.

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.

Nolle Prosequi (before trial): A disposition 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).

Other Manner of Disposition: A disposition classification for those criminal 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.

Preliminary Hearing: A disposition classification for felony and gross misdemeanor 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:

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

Transferred (before/during trial): A disposition classification for those criminal cases 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. This manner of disposition is not used for felony and gross misdemeanor cases in Justice Courts.

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

The following sample data and instructions show USJR data provided in the monthly Disposition Worksheets submitted to the AOC. The Crimes Against Property column illustrates the reported areas for District Courts, while the Traffic example

illustrates the Justice and Municipal Court calculations for these case types. These instructions describe how to calculate the various totals and subtotals.

The following formulas are used for all case types.

Sample Data

Criminal Case Dispositions	Crimes Against Property	Traffic
Non-Trial Dispositions		
Bail Forfeitures		461
Nolle Prosequi (before trial)	2	0
Dismissed (before prelim.)		
Guilty Pleas with Sentence (before prelim.)		
Waiver of Preliminary Hearing		
Preliminary Hearing		
Dismissed (during prelim.)		
Guilty Pleas with Sentence (during prelim.)		
Bindover		
Dismissed (after diversion)	18	0
Dismissed (before trial)	5	0
Guilty Pleas with Sentence (before trial)	120	9
Transferred (before/during trial)	0	0
TOTAL NON-TRIAL DISPOSITIONS	145	470
Trial Dispositions		
Bench Trial		
Dismissed (during trial)	0	0
Acquittal	1	2
Guilty Pleas with Sentence (during trial)	0	0
Conviction	3	0
TOTAL BENCH TRIAL DISPOSITIONS	4	2
Jury Trial		
Dismissed (during trial)	0	
Acquittal	1	
Guilty Pleas with Sentence (during trial)	0	
Conviction	0	
TOTAL JURY TRIAL DISPOSITIONS	1	
Other Manner of Disposition	2	0
GRAND TOTAL DISPOSITIONS	152	472

Shaded areas indicate disposition classifications that do not pertain to the case type specified in the column heading. *No data should be entered in these cells.*

TOTAL NON-TRIAL DISPOSITIONS = Sum of all **Non-trial Dispositions** by case type (where applicable).

TOTAL BENCH TRIAL = Sum of all **Bench Trial Dispositions** by case type (where applicable).

TOTAL JURY TRIAL DISPOSITIONS = Sum of all **Jury Trial Dispositions** by case type (where applicable).

GRAND TOTAL DISPOSITION = Sum of **Total Non-Trial Dispositions, Total Bench Trial Dispositions, Total Jury Trial Dispositions, and Other Manner of Disposition**

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 5.05, civil cases are filed in some Municipal Courts.]

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
- 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 \$10,000), 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 a case or cases have been ordered consolidated into another case, courts should report cases consolidated into the lead case as open and active until all matters/cases have been disposed.

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

- Foreclosure Mediation Case
- Petition to Seal Records Case
- Mental Competency Case
- Nevada State Agency Appeal Case
 - Department of Motor Vehicle Appeal
 - Worker's Compensation Appeal
 - 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.

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 that includes cases dealing with issues of an alleged intentional misconduct. Examples include civil assault, battery, fraud (at the civil level), punitive damages, defamation, libel, slander, and interference with contract rights.

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).

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:

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

Foreclosure Mediation Case: A judicial review/appeal case that involves a request for judicial review of a foreclosure mediation pursuant to NRS 107 and Supreme Court Foreclosure Mediation Rules.

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.

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
- 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.

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

Other Civil Matters

Small Claims Case

Protection Orders

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

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.

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.

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.

Orders arising from petitions to seal records filed in the District Court should be counted in the Orders to Seal Records additional statistic.

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 \$7,500), 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. Requests for extended protection orders are counted under "Requests for Extended Protection Orders" within "Additional Civil Caseload Statistics."

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 Domestic Violence Protection

Order: A protection order case that is 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 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.

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:

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

Limited Jurisdiction Courts Only:

- Orders to Seal Records
- Sexual Assault Protection Order
- Requests for Extended Domestic Violence Protection Orders
- Requests for Extended Protection Orders (Non-Domestic Violence)

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 to the originating court after an appeal during the specified time. District Courts count cases received from Supreme Court. Justice and Municipal Courts count cases received from the District or Supreme Courts. If the remitted/remanded case has previously been disposed and further action is now required, report a “Reopened” measurement on the caseload worksheet.

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 NRCP 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., NRCP, 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.

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 Other Civil Matters case type.

Sexual Assault Protection Orders: The number of protection orders issued 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.

Requests for Extended Domestic Violence

Protection Orders: The number of requests for an extended order for protection against domestic violence (including battery); where it appears to the satisfaction of the court from specific 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 extended protection order request is usually in the form of an application.

Extended protection orders are reported by Justice Courts on the civil worksheet.

Requests for Extended Protection Orders (Non-Domestic Violence):

The number of requests for an extended order for protection against harassment, stalking, or threat to life, not related to domestic violence. The extended request is usually in the form of an application.

Extended protection orders are reported by Justice Courts on the civil worksheet.

Caseload Inventory

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.

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. *Such circumstances are defined in the Events section on page 32.*

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

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 are included. When a reopened case is disposed, report the disposition as a Reopened Disposition (see “Dispositions - Reopened”).

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 32.*

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.

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 32.*

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. *Such circumstances are defined in the Events section on page 32.*

Set for Review: A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review involving a hearing before a judicial officer 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 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.

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	33
	b Inactive	34
8	Set for Review	2

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
	198
	<hr/>
	- 165
	<hr/>
End Pending - Active (7a)	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
	57
	<hr/>
	- 23
	<hr/>
End Pending - Inactive (7b)	34

Example calculations by item number and count

$$(1a+2+3+4) - (5a+5b+6) = (7a)$$

$$\text{or } = (50+111+14+23) - (106+17+42) = 33$$

$$(1b+6)-(4) = (7b)$$

$$= (15+42)-(23) = 34$$

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 29-30). 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

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

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.

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, 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. District Courts should report cases appealed from limited jurisdiction courts as transferred when returning the case to the Justice/Municipal 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

(Limited Jurisdiction 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.

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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), 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), 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
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)
Requests for Extended Domestic Violence Protection Orders (TPOs)
Remanded Cases
Bench (Non-Jury) Trials

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 Orders (TPOs)
- 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 request is made 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 requesting that the court extinguish the legal relationship of parent and child. In some states, this is accomplished through filing a motion on the child victim petition requesting that parental rights be terminated.

Example: As a part of a criminal abuse and neglect matter, the state files a petition seeking the termination of parental rights.

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 a request 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. Requests for extended protection orders are counted under “Requests for Extended Domestic Violence Protection Orders” within “Additional Family Caseload Statistics.”

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.

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:

- IV-D Intrastate (Divorce)
- Request for Extended Domestic Violence Protection Order (TPOs)
- Remanded Cases
- Bench (Non-Jury) Trial

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 cases arise from previously decided marriage dissolution/divorce cases.

Requests for Extended Domestic Violence Protection Order (TPOs): The number of requests for an extended order for protection against domestic violence (including battery) where it appears to the satisfaction of the court from specific 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 extended protection order request is usually in the form of an application.

Remanded Case: The number of family cases remanded back to the originating court from the Supreme Court after an appeal during the specified time.

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.

Caseload Inventory

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.

Unit of Count

Family-related case unit of count is the petition (adoption, TPR, and UIFSA), original request (TPO), 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. *Such circumstances are defined in the Events section on page 42.*

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

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 are included. When a reopened case is disposed of, report the disposition as a Reopened Disposition (see "Dispositions - Reopened").

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 42.*

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.

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 42.*

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. *Such circumstances are defined in the Events section on page 42.*

Set for Review: A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review involving a hearing before a judicial officer 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 review once each month until the last 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.

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 page 41). Tracking case events is useful for tracking court caseflow.

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.

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	33
b	Inactive	34
8	Set for Review	2

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
		<u>198</u>
MINUS (-)		
Original Dispositions	(5a)	106
+Reopened Dispositions	(5b)	17
+Placed on Inactive Status	(6)	42
		<u>165</u>
		198
		- 165
End Pending - Active	(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>
		57
		- 23
End Pending - Inactive	(7b)	<u>34</u>

Example calculations by item number and count

$$(1a+2+3+4) - (5a+5b+6) = (7a)$$

$$\text{or } = (50+111+14+23) - (106+17+42) = 33$$

$$(1b+6)-(4) = (7b)$$

$$= (15+42)-(23) = 34$$

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), 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) Dismissed -Want of Prosecution (for some issues) and (5b) Settled/Withdrawn - With Judicial Conference or Hearing (for the remaining issues), the case is counted under Settled/Withdrawn - 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 closed 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. Dismissed - Want of Prosecution
3. Involuntary (Statutory) Dismissal
4. Default Judgment
5. Settled/Withdrawn
 - 5a. Without Judicial Conference or Hearing
 - 5b. With Judicial Conference or Hearing
 - 5c. Alternative Dispute Resolution
6. Transferred

Trial Dispositions

7. Bench (Non-Jury) Trials
 - 7a. Disposed After Trial Start
 - 7b. Judgment Reached

Final Disposition (Guardianship Cases Only):

8. Cases Involving a Persons
 - 8a. Death
 - 8b. Age of Majority
 - 8c. Restoration of Competency
9. Cases involving Property Only (Estates)
 - 9a. Order Terminating Guardianship or Final Accounting

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.

Dismissed for Want of Prosecution: 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.

Involuntary (Statutory) 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.

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.

Settled/Withdrawn Without Judicial Conference or Hearing: A subcategory of family-related non-trial dispositions for cases settled out of court, voluntarily withdrawn from the court docket by the plaintiff, and/or by joint stipulation without a conference or hearing with a judicial officer.

Settled/Withdrawn With Judicial Conference or Hearing: A subcategory of family-related non-trial dispositions for cases settled, voluntarily withdrawn from the court docket by the plaintiff, and/or by joint stipulation following a conference or hearing with a judicial officer.

Settled/Withdrawn 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.

Transferred: 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.

Total Non-Trial Dispositions: The sum of those disposition types listed above, from Other Manner of Disposition to Transferred.

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 involving only property that are “finalized” with an order terminating guardianship or when the final accounting is filed with the court, whichever occurs first.

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 Traffic Case

The filing document in a juvenile-related case is generally a petition or citation (juvenile traffic only in some jurisdictions). In a delinquency case involving a juvenile, the filing document is a petition. In a juvenile traffic case, 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 53) for adjudication of supplemental petitions.

Delinquency Petition: A subcategory of juvenile-related cases that includes cases involving an act committed by a juvenile, which, if committed by an adult, would result in prosecution in criminal court and over which the juvenile court has been statutorily granted original or concurrent jurisdiction. These may include 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 criminal court.

Case Subcategories and Case Types Listing

Juvenile-Related Case:

Delinquency Petition:

Person
Property
Drug
Public Order
Other Delinquency
Total Delinquency Petition

Status Petition

Dependency/Child Victim:

Child Abuse/Neglect Petition
Dependent (No Fault)
Other Dependency/Child Victim

Miscellaneous Petition

Juvenile Traffic Case

Juvenile-Related Proceeding and Additional

Juvenile-Related Caseload Statistics:

Informal Hearings (Involving a Judicial Officer)
Detention Hearings
Extradition Hearings
Protective Custody Hearings
Remanded Juvenile Cases
Bench (Non-Jury) Trials

Person: A subclassification of delinquency cases involving murder/manslaughter, sexual assault (including rape and sexual battery), robbery, and assault.

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, 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 previously defined delinquency case categories.

Total Delinquency Petition: The sum of all delinquency case types listed above.

[Note: Inclusion of this column is meant to assist those courts who cannot provide data for the individual delinquency case types. No totals need to be provided by courts submitting the data for the individual case types. (Discontinued After 1 Year)]

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 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 Traffic Case: A case type of juvenile-related case that involves any matter that originates in the court as a traffic citation involving a juvenile that is classified as a misdemeanor traffic violation for an adult. Report gross misdemeanor and felony type traffic cases involving a juvenile as a delinquency juvenile petition.

Additional Juvenile Related Caseload Statistics

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

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.

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

Remanded Cases: The number of juvenile cases remanded back to the originating court from the District or Supreme Court after an appeal during the specified time.

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.

Caseload Inventory

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 or citation (juvenile traffic only in some jurisdictions). 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 (described below) 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 higher the number, the lower the ranking in the hierarchy.

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. *Such circumstances are defined in the Events section on pages 51-52.*

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 or citation. [Note: Some courts utilize citations as originating documents for juvenile traffic cases.]

Charges: A count of each charge on the petition or citation for juvenile delinquency or juvenile traffic 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 are included. When a reopened case is disposed of, report the disposition as a Reopened Disposition (See Dispositions-Reopened).

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 pages 51-52.*

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.

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 pages 51-52.*

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. *Such circumstances are defined in the Events section on pages 51-52.*

Set for Review: A count of cases at the end of each month that, following an initial Entry of Judgment, are awaiting a regularly scheduled review involving a hearing before a judicial officer 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 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.

Events in Juvenile Case Processing

Statistics indicating what events occurred in individual juvenile cases during a specified period. Events are listed by the status of caseload inventory (*see pages 50-51*). 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 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.

Reactivating Event Definitions Continued

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.

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
	a Charges	150
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	33
	b Inactive	34
8	Set for Review	2

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
	198
	- 165
	<hr/>
End Pending - Active (7a)	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
	57
	- 23
	<hr/>
End Pending - Inactive (7b)	34

Example calculations by item number and count

$(1a+2+3+4) - (5a+5b+6) = (7a)$
or $= (50+111+14+23) - (106+17+42) = 33$

$(1b+6)-(4) = (7b)$
 $= (15+42)-(23) = 34$

Manners of Disposition

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 or citation (juvenile traffic only in some jurisdictions).

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.

Manners of Disposition Listing

Juvenile Manners of Disposition

Adjudication Manners of Disposition:

1. Other Manner of Disposition
2. Dismissal/Non-Adjudicated
3. Adjudicated by Default
4. Adjudicated by Plea/Admission/Stipulation
5. Disposed by Alternative Dispute Resolution
6. Adjudicated After Evidentiary Hearing/Bench (Non-Jury) Trial
7. Waiver/Certify/Transfer to Adult Court
8. Transferred to Another Juvenile Court (before/during trial)

Manners of Disposition Definitions

Juvenile Dispositions:

A major classification category for juvenile case dispositions in which a case is disposed of by dismissal or withdrawal, default, plea/stipulation, alternative dispute resolution, an evidentiary hearing, waiver/certification/transfer to adult court, or transfer to another juvenile court jurisdiction.

Other Manner of Disposition: A subcategory of juvenile-related dispositions including cases of unknown specificity or cases not attributable to one of the other defined juvenile case disposition categories defined below.

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.

Dismissal/Non-Adjudicated: A subcategory of juvenile-related dispositions involving cases in which the complaint or petition is withdrawn by the petitioner and dismissed by the court.

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.

If the court renders a decision to dismiss the case because of its merits, record the case under “Adjudicated After Evidentiary Hearing/Bench (Non-Jury) Trial.” 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 category. Count a case as a dismissal when a warrant is quashed because the defendant was 21+ when arrested.

Adjudicated by Default: A subcategory of juvenile-related dispositions involving 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.

Adjudicated by Plea/Admission/Stipulation: A subcategory of juvenile-related dispositions involving cases in which the person who is the subject of the petition 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 juvenile 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 cases under this category.

Disposed by Alternative Dispute Resolution

(ADR): A subcategory 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.

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.”

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.

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

Juvenile Traffic Dispositions: Record juvenile traffic violations in the same manner as adult traffic violations. Juvenile traffic uses the same disposition categories as adult traffic violations excluding jury trials, which are not available to juveniles. Definitions for traffic dispositions are found in the Criminal Section (page 14 - 17).

Juvenile traffic cases that require multiple dispositions are only counted as one case 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. (Please note this hierarchy differs from the criminal hierarchy listed on page 14.)

Non-Trial Dispositions

1. Other Manner of Disposition
2. Bail Forfeiture
3. Nolle Prosequi (before trial)
4. Dismissed (after diversion)
5. Dismissed (before trial)
6. Guilty Plea/Admit with Sentence (before trial)
7. Transferred to Another Juvenile Court (before/during trial)

Bench Trial Dispositions

9. Dismissed (during trial)
10. Acquittal
11. Guilty Plea/Admit with Sentence (during trial)
12. Conviction

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 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. 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) in the Criminal Section for the similar juvenile disposition of Guilty/Admit Plea with Sentence (before trial).

Appendices

Alternative Dispute Resolution Caseload and Disposition Definitions

Caseload Inventory

The caseload inventory for alternative dispute resolution (ADR) cases records the number of cases filed and adjudicated during a specific period pursuant to NRS 38.255.

Unit of Count

The unit of count is the case. For an ADR case, a petition or complaint creates a civil action. Counter claim cases are not to be counted as a case filing.

All civil actions filed in District Court for damages, where the amount in issue does not exceed \$50,000, must be submitted to nonbinding arbitration in accordance with NRS 38.250 through 38.259 and Nevada Arbitration Rules (NAR). Some District courts that have implemented a voluntary arbitration program have maintained a lower dollar amount for damages or the amount at issue.

When to Count Filings

New Cases in Arbitration: An ADR case is considered a new case in arbitration when an answer has been filed in a civil matter and the case has been submitted or ordered to arbitration, or an arbitrator is appointed (Moon v. McDonald, 126 Nev. Adv. Op. No. 47).

Do not count cases where no answer has been filed or which have been exempted from the program prior to being submitted.

Exempted/Removed from Arbitration: A count of cases that have been previously submitted or ordered to arbitration but have since requested and been granted an exemption or removal from the arbitration program after an arbitrator was assigned. Cases requesting exemption or removal due to a dismissal or settlement should not be included in this count, they should be reported as a dismissed/settled before award disposition.

Pending Cases: A count of cases that, at the end of the reporting period, are awaiting resolution.

Manners of Disposition

Statistics on manners of disposition for ADR 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 from the ADR program and take into account whether the case was adjudicated before or after the arbitrator rendered an award/decision in the case.

Unit of Count

Cases that require multiple types of adjudication are only counted as one type. ADR programs should choose the most appropriate disposition reflecting what occurred on the case.

When to Count Dispositions

An ADR case is considered disposed when adjudication of the matter occurs. For statistical purposes, adjudication is defined as the date a decision is entered.

Pursuant to NAR 19, parties have 30 days after an award is served to request a trial *de novo* (TDN). If a TDN has not been filed and the case is not otherwise dismissed, a notice to a prevailing party is issued advising the parties to file their judgment on award.

Manners of Disposition Definitions

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

Dismissed/Settled Before Award: Non-Trial *De Novo* disposition of cases that are dismissed or settled before arbitration is completed.

Awards: Non-Trial *De Novo* disposition of cases where arbitration awards have been determined by the arbitrator, no request for trial *de novo* has been filed, and the prevailing party has submitted a form for final judgment. (Count awards 30 days after the notice of arbitration award is filed/served.)

Dismissed/Settled After Award: Non-Trial *De Novo* disposition of cases that are dismissed or settled after and award/decision has been entered and no request for TDN has been filed.

De Novo Trials: A disposition of cases involving a request for a TDN after arbitration is completed and/or an award is served. Count each case where a request was filed for a TDN in the three subcategories below. Count each case only once.

Requested by Plaintiff: A subcategory disposition of De Novo Trials. Count the number of requests, in accordance with NARs, for a trial de novo made by the plaintiff.

Requested by Defendant: A subcategory disposition of De Novo Trials. Count the number of requests, in accordance with NARs, for a trial de novo made by the defendant.

Requested by Both: A subcategory disposition of De Novo Trials. Count the number of requests, in accordance with NARs, for a trial de novo made by the both parties.

Additional Alternative Dispute Resolution Statistics

Revenue: The total amount of revenue collected during the reporting period by the arbitration program.

Expense: The total amount of expenditures made during the reporting period by the arbitration program.

Short Trial Caseload and Disposition Definitions

Caseload Inventory

The caseload inventory for the Short Trial Program (STP) records the number of cases filed and adjudicated during a specific period pursuant to NRS 38.255.

Unit of Count

The unit of count is a case. For the STP, a case is the petition or complaint which creates a civil action. Counter claim cases are not to be counted as a case filings. Cases transferred from another jurisdiction to a court are considered new filings.

All civil actions filed in District Court may participate in the STP. Parties who do not participate in mandatory arbitration may stipulate to a short trial proceeding.

Parties who participate in mandatory arbitration may request a Trial *De Novo* (TDN). Participation in the short trial program is mandatory unless a “Demand Out of the Short Trial Program” is timely filed and fees are satisfied.

When to Count Filings

A STP case is counted when a request for trial *de novo* has been filed, and the time to file a “Demand Out” has expired, or when a stipulation for a short trial has been filed.

New Cases Stipulated to Short Trial: A count of cases that have stipulated to participate in the STP but did not go through arbitration.

TDN Calendared/Scheduled: A count of cases that previously went through the arbitration program, requested a TDN, and entered the STP.

Manners of Disposition

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

Unit of Count

The unit of count for the STP is the case (original initiating petition or complaint).

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. For instance, if a complex case is disposed by both a dismissal (for some issues) and settled (for the remaining issues), the case should be counted under “settled.”

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.

A short trial is considered held when a jury panel has been seated, a witness has been sworn, or evidence has been presented, whichever comes first.

Manners of Disposition Definitions

Short Trial Dispositions: A major classification category for STP case dispositions in which a case is disposed of by a dismissal, settlement, or completion of a short trial.

Dismissed: Non-trial disposition in which the case is dismissed prior to a short trial being held or the case is otherwise removed from the short trial program. Cases where parties stipulate to a dismissal should be reported as “settled.”

Settled: Non-trial disposition involving cases where all matters have been settled and a stipulated judgment or dismissal is ordered for the case. Matters settled during a short trial should be counted under the “short trial” disposition.

Summary Judgment: Non-trial disposition where the matter is resolved through an adjudication on the merits in which a judicial officer renders a decision, without trial, where there is no dispute as to either material facts nor inferences to be drawn from undisputed facts. Summary judgments reached during a short trial should be counted under the “short trial” disposition.

Short Trial: Trial disposition in which a short trial has been held and which resulted in a decision/verdict being reached on the case.

Appendix A

Acknowledgements

Seven 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 1980's. Special thanks to the following people for providing their time, energy, and insight listed on pages 59-60.

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Appendix B

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)
NCSC	National Center for State Courts
NRS	Nevada Revised Statutes
STP	Short Trial Program
TDN	Trial <i>De Novo</i>
TPO	Temporary Protection Order
UIFSA	Uniform Interstate Family Support Act
URESA	Uniform Reciprocal Enforcement of Support Act
USJR	Uniform System for Judicial Records

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