

1 **NRCP 4.1 – Proposed**
2 **(Reject Federal Rule)**

3 **Rule 4.1. Serving Other Process**

4 ~~(a) IN GENERAL. Process other than a summons under Rule 4 or a subpoena~~
5 ~~under Rule 45 must be served by a United States marshal or deputy marshal or by~~
6 ~~a person specially appointed for that purpose. It may be served anywhere within the~~
7 ~~territorial limits of the state where the district court is located and, if authorized by~~
8 ~~a federal statute, beyond those limits. Proof of service must be made under Rule 4(l).~~

9 ~~(b) ENFORCING ORDERS: COMMITTING FOR CIVIL CONTEMPT. An order~~
10 ~~committing a person for civil contempt of a decree or injunction issued to enforce~~
11 ~~federal law may be served and enforced in any district. Any other order in a civil~~
12 ~~contempt proceeding may be served only in the state where the issuing court is~~
13 ~~located or elsewhere in the United States within 100 miles from where the order was~~
14 ~~issued.~~

15 **(Subcommittee Note to the Committee)**

16 Federal rule 4.1 appears to address service of process and contempt issues
17 present in the federal system. These rules are not present in the current NRCP. The
18 subcommittee believes that service of process is adequately addressed by rules 4 and
19 45 and that the contempt statutes in NRS Chapter 22 do not need a companion rule.
20 Accordingly, the subcommittee recommends not incorporating FRCP 4.1 into the
21 NRCP.
22
23
24