

# NEVADA CIVIL LAW UPDATE

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# CIVIL CASE DISPOSITIONS 2021

	SUPREME COURT	COURT OF APPEALS
<b>APPEALS</b>		
Affirmed	20%	66%
Affirmed/reversed	4%	7%
Dismissed	61%	8%
Reversed/vacated	7%	18%
<b>WRIT PETITIONS</b>		
Petition granted	9%	13%
Petition denied/dismissed	80%	84%

# TAKEAWAYS FOR DISTRICT JUDGES

- Many issues of law are unsettled
- Discretion is broad
- Abuse of discretion will be found if:
  - Fail to make detailed findings
  - Fail to address all elements/factors in legal tests

# JUDICIAL DISQUALIFICATION

- Change of judge under NRS 22.030(3) – *Detwiler, Nuveda*
- Action while motion to disqualify pending – *Debiparshad*
- Standard for disqualification – *Canarelli*

# ARBITRATION

- District court intervention in arbitration – *Direct Grading*
- Standard of review – *News+Media Capital Group v. LV Sun*
- Federal preemption – *Maide v. Dileo*

# FAMILY LAW

## PREEMPTION OF MSA

- Division of military disability benefits
  - *Byrd*

# STATUTES OF LIMITATION AND REPOSE

- Substantial completion – *Somersett*
- Extension of NRS 11.202 – *Dekker/Panorama Towers*
- NRS 613.430 - *Salloum*
- Tolling – *Kushnir; Wilson*
- Decl. relief/statutory lien – *US Bank*

# CONSTITUTIONAL CHALLENGES

- Supermajority provision of Nev. Const. Art. IV, §18(2) – *Legislature; Morency*
- Minimum wage class action – *A Cab*
- Public importance exception for standing – *NPRI v. Cannizzaro*



# FAMILY LAW JURISDICTION AND DUE PROCESS

- Subject Matter Jurisdiction - *Senjab*
- Court Masters – due process in termination of parental rights cases – *In re Parental Rights LLS*

# FAMILY LAW RELOCATION AND CHILD CUSTODY

- Relocation – *Monahan; Pelkola*
- Child custody - *Romano*

# EVIDENCE

- Evidence of liability insurance - *Capriati*
- Unrelated, prior med mal case – *Rives v. Farris*
- Impeachment by contradiction – *Cox v. Copperfield*

# FAMILY LAW PROCEEDINGS

- A/V appearances - *Byrd*
- NRCPC 60(b)(6) - *Byrd*
- Trial disclosures – *In re Parental Rights TNR*

# ATTORNEYS' FEES AND SANCTIONS

- Compensatory contempt sanctions - *Detwiler*
- Contingency fee – *Capriati*

# JUDICIAL REVIEW OF AGENCY DECISIONS

- Petition for judicial review with original claims – *Henderson*

# QUESTIONS?

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