

## **RULE 1. SCOPE, CONSTRUCTION OF RULES**

**(a) Scope of Rules.** These Rules govern procedure in the Supreme Court of Nevada and the Nevada Court of Appeals.

**(b) Rules Not to Affect Jurisdiction.** These Rules [~~shall~~] must not be construed to extend or limit the jurisdiction of the Supreme Court or the Court of Appeals as established by law.

**(c) Construction of Rules.** These Rules [~~shall~~] must be liberally construed to secure the proper and efficient administration of the business and affairs of the courts and to promote and facilitate the administration of justice by the courts.

**(d) Effect of Rule and Subdivision Headings.** Rule and subdivision headings set forth in these Rules [~~shall~~] must not in any manner affect the scope, meaning, or intent of any of the provisions of these Rules.

**(e) Definitions of Words and Terms.** In these Rules, unless the context or subject matter otherwise requires:

(1) “Appellant” includes, if appropriate, a petitioner.

(2) “Case” includes action and proceeding.

(3) “Clerk” and “clerk of the Supreme Court” means the person appointed to serve as clerk of both the Supreme Court and Court of Appeals.

(4) “Court” means the Supreme Court or Court of Appeals.

(5) “Party,” “applicant,” “petitioner,” or any other designation of a party includes such party’s attorney of record. Whenever under these Rules a notice or other paper is required to be given or served on a party, such notice or service [~~shall~~] must be made on [~~his~~] the party’s attorney of record if [~~he~~] the party has one.

(6) “Person” includes and applies to corporations, firms, associations, and all other entities, as well as natural persons.

(7) “Pro se” or “unrepresented” refers to a party acting on his or her own behalf without the assistance of counsel.

(8) “Postconviction appeal” includes any appeal from an order resolving a postconviction challenge to a judgment of conviction, sentence, or the computation of time served under a judgment of conviction, including, but not limited to, proceedings instituted under NRS Chapter 34.

(9) “Shall” and “must” are **[is]** mandatory and “may” is permissive.

(10) The past, present, and future tense **[shall]** each include the others; the masculine, feminine, and neuter gender **[shall]** include the others; and the singular and plural numbers **[shall]** each include the other.

#### **REVIEWING NOTE**

The proposed amendments to the language of this Rule are intended to make style and terminology consistent throughout the Rules. The only substantive edits are the addition of the term “unrepresented” in subdivision (e)(7) to reflect the use of that term in many of the rules, and the addition of the term “must” in subdivision (e)(9) to reflect the replacement of “shall” with “must” in many of the rule amendments.