

## **Rule 58. Entering Judgment (ALTERNATE 1)**

(a) **Separate Document.** Every judgment and amended judgment must be set out in a separate document, but a separate document is not required for an order disposing of a motion:

- (1) for judgment under Rule 50(b)
- (2) to amend or make additional findings under Rule 52(b)
- (3) for attorney fees under Rule 54;
- (4) for a new trial, or to alter or amend the judgment, under Rule 59; or
- (5) for relief under Rule 60.

### **(b) Entering Judgment.**

(1) Subject to Rule 54(b) and except as provided in Rule 55(b)(1), all judgments must be approved and signed by the court and filed with the clerk.

(2) The court should designate a party to serve notice of entry of judgment on the other parties under Rule 58(f).

(c) **When Judgment Entered.** The filing with the clerk of a judgment, signed by the court, or by the clerk, as the case may be, constitutes the entry of the judgment, and no judgment is effective for any purpose until it is entered. The entry of the judgment may not be delayed for the taxing of costs.

(d) **Judgment Roll.** The judgment, as signed and filed, constitutes the judgment roll.

(e) **Request for Entry.** A party may request that judgment be set out in a separate document as required by Rule 58(a).

### **(f) Notice of Entry of Judgment.**

(1) Within 14 days after entry of a judgment or an order, a party designated by the court under Rule 58(a) must serve written notice of such entry, together with a copy of the judgment or order, upon each party who is not in default for failure to appear and must file the notice of entry with the clerk of the court. Any

other party, or the court in family law cases, may also serve and file a notice of such entry. Service must be made as provided in Rule 5(b).

(2) Failure to serve notice of entry does not affect the validity of the judgment, but the judgment may not be executed upon until notice of its entry is served.

#### **Advisory Committee Note—2018 Amendment**

Rule 58 has been revised. Rules 58(a) and (e) were adopted from FRCP 58(a) and (d), respectively. Except for default judgments under NRCP 55(b)(1), Nevada requires the court, not the clerk, to sign the judgment. This makes unnecessary to distinguish between clerk- and court-signed judgments, as FRCP 58(b)(1) and (2) do. Therefore, NRCP 58(a)(1) and (2) were consolidated with the former NRCP 58(b) and relocated to Rule 58(b)(1). Rule 58(b)(2) retains the last sentence of the prior NRCP 58(a). Rules 58(c) and (d), and Rule 58(f) (formerly Rule 58(e)) were retained from the prior NRCP 58 with stylistic changes.