

Rule 28.2. Attorney's Certificate

(a) Certificate Required Upon Filing of Any Brief. Any brief submitted for filing on behalf of a party represented by counsel must contain a certificate signed by at least 1 attorney of record who is an active member of the bar of this state. This certificate must substantially comply with Form 9 in the Appendix of Forms, and must contain the following information:

- (1) A representation that the signing attorney has read the brief;
- (2) A representation that to the best of the attorney's knowledge, information and belief, the brief is not frivolous or interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
- (3) A representation by the signing attorney that the brief complies with all applicable Nevada Rules of Appellate Procedure, including the requirement of Rule 28(e) that every assertion in the briefs regarding matters in the record be supported by a reference to the page and volume number, if any, of the appendix where the matter relied on is to be found; and
- (4) A representation that the brief complies with the formatting requirements of Rule 32(a)(4)-(6), and either the page- or type-volume limitations stated in Rule 32(a)(7).

(b) Striking a Brief Without the Required Certificate. If a brief does not contain the certification required by this Rule, it will be stricken unless such a certification is provided within 14 days after the omission is called to the attorney's attention.

(c) Sanctions. The Supreme Court or Court of Appeals may impose sanctions against an attorney whose certification is incomplete or inaccurate. In addition, the Supreme Court or Court of Appeals may impose sanctions against any attorney who, upon being informed that the brief does not contain the certificate provided for by subsection (a), fails to cure the deficiency within 14 days after the omission is called to his or her attention.

Comment: As the attorney's certificate in NRAP 28.2 can be combined with the certificate of compliance in NRAP 32(a)(9), could NRAP 28.2 be consolidated into 32(a)(9)?