

FILED
ANITA WHITEHEAD, CLERK
SPARKS JUSTICE COURT
MAR 25 2021
By *[Signature]*
DEPUTY CLERK

IN THE JUSTICE COURT OF SPARKS TOWNSHIP
COUNTY OF WASHOE, STATE OF NEVADA

IN THE ADMINISTRATIVE MATTER OF
SETTING ATTORNEY AND STATUS
CONFERENCES

ADMINISTRATIVE ORDER 2021-04

WHEREAS, the Sparks Justice Court has been considering changing the pretrial conferences and mandatory status conferences currently set by the Court;

WHEREAS, with the elimination of nearly all inmate transports over the last year, the Court has continued to set and reset these matters when no actual appearance is possible and no longer serves the intended purpose;

WHEREAS, the improvements made by the Washoe County Sheriff's Office have greatly increased the ability of defense counsel to confer with their clients without the need to transport them to Court;

WHEREAS, the phased reopening plan of the Sparks Justice Court set forth in Administrative Order 2021-03 does not anticipate the resumption of most inmate transports;

WHEREAS, the Sparks Justice Court has conferred with the offices of the Washoe County Public Defender, the Washoe County Alternate Public Defender, and the Washoe County District Attorney; and

WHEREAS, the Chief Judge of the Sparks Justice Court has the authority pursuant to NRS 4.157(c) to make administrative decisions pertaining to the business of the Court.

AND GOOD CAUSE BEING SHOWN,

IT IS HEREBY ORDERED THAT:

1. As of April 12, 2021, the Sparks Justice Court will no longer set pretrial hearings or mandatory status conferences and will replace them with the following procedures.

- 1 2. At all arraignments, the Court will set one attorney conference (replacing the pretrials
2 and mandatory status conferences) seven days out.
- 3 a. No court appearance is necessary – this will give the defendant notice of when to
4 expect to confer with counsel.
- 5 b. The defendant will be advised that this is NOT a scheduled court appearance and
6 that their attorney will contact them in approximately seven days. They will be
7 provided with the public defender’s or alternate public defender’s phone number
8 to contact their counsel.
- 9 c. This will set as an “event” in the Odyssey case management system. The date and
10 time will still be sent to the parties on the flow sheet, but it does not create a
11 scheduled calendar setting. The Court will confer with pretrial services to ensure
12 that they do not notify the defendant that this is a required court appearance.
- 13 d. The Court will not be responsible for continuing or resetting the attorney
14 conference dates. That will now be managed by counsel or their staff.
- 15 3. Set a status conference for 60 days after the arraignment.
- 16 a. This is a mandatory Zoom appearance (for now) by the defendant and counsel if
17 the case has not been resolved or set in the meantime. In-custody defendants will
18 appear from the jail. Defense counsel may waive their client’s appearance if no
19 disposition is pending and they are compliant with pretrial services.
- 20 b. The Court will ask both sides about the case status. If the parties report that the
21 case cannot be resolved due to incomplete discovery, test results, pending
22 investigations, or other due cause, the Court may set another status conference in
23 30 to 60 days. If the parties have resolved the case, the Court will hear the plea
24 without the need to reset the matter. If no resolution has been reached, the Court
25 may set an appropriate trial or hearing.

1 c. Counsel may stipulate one time to continue the status conference for not more
2 than an additional 30 days. Email stipulations will be accepted, but the parties
3 must agree to the date and time.

4 d. Any further requests after 90 days to continue the conference can either be made
5 by motion or stipulation and Order with good cause shown. These continuances
6 must be approved by a judge.

7 4. The status conference will be vacated automatically if counsel requests that the matter
8 be set for a motion hearing, entry of plea, trial, preliminary hearing, or when a counter
9 plea, waiver, or other disposition is received.


10 5. Generally, all case documents must be received at least 24 hours in advance of the
11 continuance date for entry of plea or other disposition. For urgent, day-of requests, all
12 documents must be submitted at the time of the request, but the case will not be placed
13 on the calendar without judicial approval.

14 6. This process will be applied prospectively, beginning April 12, 2021. Any existing
15 cases that are not pending resolution may have a status conference set at the discretion
16 of the Court or the request of the parties.

17 This Administrative Order 2021-04 shall stay in full force and effect until amended or
18 rescinded by the Sparks Justice Court.

19 IT IS SO ORDERED.

20 Dated this 25th day of March 2021.

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23 Chief Judge Kevin Higgins
24 Justice of the Peace
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