

1 **NRCP 22 – Proposed**  
2 **(Adopt federal rule with edits)**

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3 **Rule 22. Interpleader**

4 (a) **Grounds.**

5 (1) **By a Plaintiff.** Persons with claims that may expose a plaintiff to  
6 double or multiple liability may be joined as defendants and required to interplead.  
7 Joinder for interpleader is proper even though:

8 (A) the claims of the several claimants, or the titles on which their  
9 claims depend, lack a common origin or are adverse and independent rather than  
10 identical; or

11 (B) the plaintiff denies liability in whole or in part to any or all of  
12 the claimants.

13 (2) **By a Defendant.** A defendant exposed to similar liability may seek  
14 interpleader through a crossclaim or counterclaim.

15 (b) **Relation to Other Rules and Statutes.** This rule supplements—and does  
16 not limit—the joinder of parties allowed by Rule 20. The remedy this rule provides  
17 is in addition to—and does not supersede or limit—the remedy provided by any  
18 Nevada statute providing for interpleader. ~~28 U.S.C. §§ 1335, 1397, and 2361. An~~  
19 ~~action under those statutes must be conducted under these rules.~~These rules apply  
20 to any action brought under statutory interpleader provisions, except as otherwise  
21 provided by Rule 81.

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2 **(Subcommittee notes to the Committee)**

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3 (1) At the August 16, 2017, committee meeting, the committee discussed both  
4 referencing Nevada statutory interpleader and debated the meaning of the last  
5 sentence of FRCP 22(b). Alterations have been made to include Nevada  
6 statutory interpleader and to clarify that the rules generally apply to such  
7 actions, but where the statues contain special statutory procedures, those  
8 procedures would apply.