

RULE 36. ENTRY OF JUDGMENT

(a) Entry. The filing of the court’s decision or order constitutes entry of the judgment. The clerk will file the judgment after receiving it from the court. If a judgment is rendered without an opinion, the clerk will enter the judgment following instruction from the court.

(b) Notice. On the date when judgment is entered, the clerk will serve all parties a copy of the opinion, if any, or of the order entering judgment, if no opinion was written.

(c) Form of Decision. The Supreme Court and Court of Appeals decide cases by either published or unpublished disposition.

(1) A published disposition is an opinion designated for publication in the Nevada Reports. The Supreme Court or Court of Appeals will decide a case by published opinion if it:

(A) Presents an issue of first impression;

(B) Alters, modifies, or significantly clarifies a rule of law previously announced by either the Supreme Court or the Court of Appeals; or

(C) Involves an issue of public importance that has application beyond the parties.

(2) An unpublished disposition, while publicly available, does not establish mandatory precedent except in a subsequent stage of a case in which the unpublished disposition was entered, in a related case, or in any case for purposes of issue or claim preclusion or to establish law of the case.

(3) A party may cite for its persuasive value, if any, an unpublished disposition issued by the Supreme Court or Court of Appeals. When citing such an unpublished disposition, the party must cite an electronic database, if available, and the docket number and date filed in the Supreme Court or Court of Appeals (with the notation “unpublished disposition”). A party citing such

an unpublished disposition must serve a copy of it on any party not represented by counsel.

(d) Duplicate Order or Opinion. The justices of the Supreme Court, judges of the Court of Appeals, or district judges designated by the governor to serve on the Supreme Court or Court of Appeals for a specific case, if they are physically present within the State of Nevada, may sign duplicate copies of any order or opinion. Signed duplicate copies of orders and opinions will be transmitted to the clerk of court for filing.

(e) Motion to Reissue an Order as an Opinion. A motion to reissue an unpublished disposition or order as an opinion to be published in the Nevada Reports may be made under the provisions of Rule 36(e) by any interested person. With respect to the form of such motions, the provisions of Rule 27(d) apply; in all other respects, such motions must comply with the following:

(1) Time to File. Such a motion must be filed within 14 days after the filing of the order. Parties may not stipulate to extend this time period, and any motion to extend this time period must be filed before the expiration of the 14-day deadline.

(2) Response. No response to such a motion may be filed unless requested by the court.

(3) Contents. Such a motion must be based on one or more of the criteria for publication set forth in Rule 36(c)(1)(A)-(C). The motion must state concisely and specifically on which criteria it is based and set forth argument in support of such contention. If filed by or on behalf of a nonparty, the motion must also identify the movant and his or her interest in obtaining publication.

(4) Decision. The granting or denial of a motion to publish is entrusted to the sound discretion of the panel that issued the disposition. Publication is

disfavored if revisions to the text of the unpublished disposition will result in discussion of additional issues not included in the original decision.

(5) Resolution of Motion to Publish Filed in the Court of Appeals When Rule 40B Petition Is Pending in the Supreme Court. When a motion to publish is pending in the Court of Appeals, resolution of any pending petition for review filed in the Supreme Court will be held in abeyance until the motion to publish is resolved.