

1 **X. DISTRICT COURTS AND CLERKS**

2 **Rule 77. Conducting Business; Clerk's Authority**

3 (a) **When Court Is Open.** Every district court is considered always open for
4 filing any paper, issuing and returning process, making a motion, or entering an
5 order.

6 (b) **Place for Trial and Other Proceedings.** Every trial on the merits must
7 be conducted in open court and, so far as convenient, in a regular courtroom, but a
8 private trial may be had as provided by statute. Any other act or proceeding may be
9 done or conducted by a judge in chambers, without the attendance of the clerk or
10 other court official, or anywhere inside or outside the district. But no hearing—other
11 than one ex parte—may be conducted outside the State unless all the affected parties
12 consent.

13 (c) **Clerk's Office Hours; Clerk's Orders.**

14 (1) **Hours.** Every clerk's office and branch office must be open—with a
15 clerk or deputy on duty—during business hours every day except Saturdays,
16 Sundays, and legal holidays.

17 (2) **Orders.** Subject to the court's power to suspend, alter, or rescind the
18 clerk's action for good cause, the clerk may:

19 (A) issue process;

20 (B) enter a default;

21 (C) enter a default judgment under Rule 55(b)(1); and

22 (D) act on any other matter that does not require the court's action.

23 (d) **Reserved.**

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1 **Advisory Committee Note—2018 Amendment**

2 The amendments to Rule 77 are stylistic and modeled on FRCP 77. The
3 provisions regarding statutory private trials is retained from the previous rule. *See,*
4 *e.g.*, NRS 125.080 (private trials for divorce). The second sentence of FRCP 77(c)(1)
5 and FRCP 77(d) are rejected consistent with the previous Nevada Rule 77. In a
6 jurisdiction with more than one clerk’s office, the main office and all branch offices
7 must remain open during business hours.