

RULE 3A. CIVIL ACTIONS: STANDING TO APPEAL; APPEALABLE DETERMINATIONS

(a) Standing to Appeal. A party who is aggrieved by an appealable judgment or order may appeal from that judgment or order, with or without first moving for a new trial.

(b) Appealable Determinations. An appeal may be taken from the following judgments and orders of a district court in a civil action:

(1) A final judgment entered in an action or proceeding commenced in the court in which the judgment is rendered.

(2) ~~[An]~~ A post-judgment order granting or denying a motion [for a new trial] under NRCP 50(b), 52(b), or 59, provided all such motions are resolved as required by Rule 4(a)(5).

(3) An order granting or refusing to grant an injunction or dissolving or refusing to dissolve an injunction.

(4) An order appointing or refusing to appoint a receiver or vacating or refusing to vacate an order appointing a receiver.

(5) An order dissolving or refusing to dissolve an attachment.

(6) An order changing or refusing to change the place of trial ~~[only when a notice of appeal from the order is filed within 30 days]~~ of an action or proceeding.

~~[(A) Such an order may only be reviewed upon a timely direct appeal from the order and may not be reviewed on appeal from the judgment in the action or proceeding or otherwise. On motion of any party, the court granting or refusing to grant a motion to change the place of trial of an action or proceeding shall enter an order staying the trial of the action or proceeding until the time to appeal from the order granting or refusing to grant the motion to change the~~

~~place of trial has expired or, if an appeal has been taken, until the appeal has been resolved.~~

~~(B)~~ Whenever an appeal is taken from such an order, the clerk of the district court ~~[shall]~~ must forthwith certify and transmit to the clerk of the Supreme Court, as the record on appeal, the original papers on which the motion was heard in the district court and, if the appellant or respondent demands it, a transcript of any proceedings had in the district court. The district court ~~[shall]~~ must require its court reporter to expedite the preparation of the transcript ~~[in preference to any other request for a transcript in a civil matter]~~. When the appeal is docketed in the ~~[court]~~ Supreme Court, it stands submitted without further briefs or oral argument unless the court otherwise orders.

(7) ~~[An order entered in a proceeding]~~ A final order that did not arise in a juvenile court ~~[that finally establishes or alters the custody of minor children]~~ and that pertains to child custody, guardianship of minors, parenting time, visitation, or relocation of a minor, whether from initial proceedings or proceedings after the first final order. An order will be deemed final when all pending issues of child custody, guardianship of minors, parenting time, visitation, or relocation of a minor are resolved.

(8) A special order entered after final judgment, ~~[excluding an order granting a motion to set aside a default judgment under NRCP 60(b)(1) when the motion was filed and served within 60 days after entry of the default judgment]~~ including a post-judgment order awarding or refusing attorney fees or costs or granting or denying relief under NRCP 60(b), or any other post-judgment order affecting the rights of a party incorporated in the judgment.

(9) An interlocutory **[judgment,]** order or decree in an action to redeem real or personal property from a mortgage or lien that determines the right to redeem and directs an accounting.

(10) An interlocutory **[judgment]** order in an action for partition that determines the rights and interests of the respective parties and directs a partition, sale, or division.

(11) An order holding a party in contempt, whether designated as civil or criminal, if the order imposes or threatens a sentence of imprisonment.

(12) An order certified as final under NRCP 54(b).

(13) Any other appeal provided for by statute.

REVIEWING NOTE

Revised Rule 3A preserves the purpose and structure of the former rule—to describe who may appeal what.

Subdivision (b) addresses only independently appealable orders. Under the merger doctrine, the notice of appeal encompasses all orders—such as interlocutory or temporary orders—that, for purposes of appeal, merge into the designated judgment or appealable order. It is not necessary to designate those orders in the notice of appeal. Subdivision (b)(2) clarifies that a party may challenge an order disposing of motions under Rule 50(b), 52(b), and 59, consistent with Rule 4(a)(5)(B)(ii), which also governs the timing of such a notice of appeal. Subdivision (b)(6) now treats an order changing or refusing to change the place of trial like other appealable orders—i.e., appealable no later than 30 days after written notice of entry of the order (not 30 days “from the order”) and subject to a stay in accordance with Rule 8 (not an automatic stay).

Subdivision (b)(7) clarifies appeals in family-law cases. A “final order” resolving child custody, guardianship of minors, parenting time, visitation, or

relocation of a minor stands in contrast to a temporary order. A case may involve multiple “final,” non-temporary orders, and this subdivision clarifies that all such final orders are appealable. Other orders entered before a final judgment resolving all claims in initial proceedings, such as those for alimony, child support, or property division, merge into the final judgment and are appealed at that time. Where an order in initial proceedings resolves some but not all of the claims, the district court may certify its order as final under NRCP 54(b). A final order in post-judgment proceedings that does not involve child custody, guardianship of minors, parenting time, visitation, or relocation of a minor may nonetheless be appealed as a special order after final judgment under subdivision (b)(8).

Subdivision (b)(11) is new and creates an immediate right of appeal for a party held in contempt with an imposed or threatened sentence of imprisonment. This provision clarifies that the threat to personal liberty—not the designation of an order as “civil” or “criminal”—triggers the right of appeal. Non-parties, such as an attorney or witness, may seek appellate review of a contempt order only through a writ petition or in combination with another appealable order. Subdivisions (b)(12) and (b)(13) are new, harmonizing Rule 3A with certification under NRCP 54(b) and statutory appeals.