CHAPTER 1 SELECT CONSTITUTIONAL PROVISIONS

CONSTITUTION OF THE STATE OF NEVADA

ARTICLE 1

- § 3 Right to Trial
- § 6 Excessive Bail; Cruel and Unusual Punishment
- § 7 Bail; Exception for Capital Offenses and Certain Murders
- § 8 Rights of Accused in Criminal Prosecutions; Jeopardy; Due Process of Law; Eminent Domain
- § 8A Rights of victims of crime
- § 9 Freedom of Speech
- § 10 Right to Assemble
- § 18 Searches and Seizures

CONSTITUTION OF THE UNITED STATES

- Amendment 1 Freedom of Religion, Press, Expression
- Amendment 4 Searches and Seizures
- Amendment 5 Indictment by Grand Jury; Double Jeopardy; Self Incrimination; Due Process
- Amendment 6 Right to Trial; Assistance of Counsel
- Amendment 7 Civil Trials
- Amendment 8 Cruel and Unusual Punishment
- Amendment 14 Application to the States

CHAPTER 2 SELECT CIVIL PROCEDURAL RULES

RULES OF CIVIL PROCEDURE FOR THE NEVADA DISTRICT COURTS

Rule	1	Scope and purpose
Rule	2	One form of action
Rule	3	Commencing an action
Rule	4	Summons and service
Rule	7	Pleadings allowed; form of motions and other papers
Rule	7.1	Disclosure statement
Rule	8	General rules of pleading
Rule	10	Form of pleadings
Rule	11	Signing pleadings, motions, and other papers;
		representations to the court; sanctions
Rule	12	Defenses and objections: when and how presented;
		motion for judgment on the pleadings; consolidating
		motions; waiving defenses; pretrial hearing

COURTROOM HANDBOOK ON NEVADA EVIDENCE

ъ 1		A 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Rule		Amended and supplemental pleadings
Rule		Pretrial conferences; scheduling; management
Rule	16.1	Mandatory pretrial discovery requirements
Rule	16.2	Mandatory prejudgment discovery requirements in
		family law actions (not including paternity or custody
		actions between unmarried persons)
Rule	16.205	Mandatory prejudgment discovery requirements in
		paternity or custody actions between unmarried
		persons
Rule	16.215	Child witnesses in custody proceedings
Rule	25	Substitution of parties
Rule	26	General provisions governing discovery
Rule	27	Depositions to perpetuate testimony
Rule	30	Depositions by oral examination
Rule	32	Using depositions in court proceedings
Rule	33	Interrogatories to parties
Rule	34	Producing documents, electronically stored information,
		and tangible things, or entering onto land, for
		inspection and other purposes
Rule	36	Requests for admission
Rule	37	Failure to make disclosures or to cooperate in discovery;
		sanctions
Rule	38	Right to a jury trial; demand
Rule	39	Trial by jury or by the court
Rule	41	Dismissal of actions
Rule	43	Taking testimony
Rule	44	Proving an official record
Rule	46	Objecting to a ruling or order
Rule	47	Selecting jurors
Rule	48	Number of jurors
Rule	49	Special verdict; general verdict and questions
Rule	50	Judgment as a matter of law in a jury trial; related
		motion for a new trial; conditional ruling
Rule	51	Instructions to the jury; objections; preserving a claim of
		error
Rule	52	Findings and conclusions by the court; judgment on
D 1		partial findings
Rule		Judgments; attorney fees
Rule		Summary judgment
Rule		Declaratory judgment
Rule		Entering judgment
Rule		New trials; amendment of judgments
Rule		Harmless error
Rule		Stay of proceedings to enforce a judgment
Rule		Judge's inability to proceed
Rule		Injunctions and restraining orders
Rule	81	Applicability of the rules in general; remanded actions

NEVADA SHORT TRIAL RULES

I SCOPE OF RULES

Rule 1 The short trial program.

II PARTICIPATION IN AND REMOVAL FROM THE SHORT TRIAL PROGRAM

- Rule 4 Matters subject to the short trial program.
- Rule 5 Removal of cases subject to mandatory participation in the short trial program.

III PLEADINGS AND MOTIONS; DISCOVERY AND PRETRIAL PROCEDURE

- Rule 6 Filing and service of documents.
- Rule 7 Motions; rulings to be written and filed.
- Rule 8 Mandatory discovery and settlement conference.
- Rule 9 Pretrial memorandum.
- Rule 10 Pretrial conference.
- Rule 11 Settlement before trial.

IV TRIALS

- Rule 12 Scheduling.
- Rule 13 Continuances.
- Rule 14 Location of trial.
- Rule 15 Use of discovery at trial.
- Rule 16 Documentary evidence.
- Rule 17 Evidentiary booklets.
- Rule 18 Evidentiary objections.
- Rule 19 Expert witnesses.
- Rule 20 Reporting of testimony.
- Rule 21 Time limits for conduct of trial.
- Rule 22 Size of jury.
- Rule 23 Juror selection and voir dire.
- Rule 24 Opening charge to jury.
- Rule 25 Jury instructions.

V JUDGMENT

- Rule 26 Entry of judgment.
- Rule 27 Attorney fees, short trial judge's fees and costs.
- Rule 31 Allocation of fees and costs.
- Rule 32 Procedures at trial de novo.
- Rule 33 Binding short trial.

VI APPEALS

Rule 34 Direct appeal of final judgment.

NEVADA ALTERNATE TRIAL RULES

- Rule 1
- Rule 6

JUSTICE COURT RULES OF CIVIL PROCEDURE

- Rule 3 Commencement of Civil Action
- Rule 16 Pretrial Conferences
- Rule 16.1 Mandatory Pretrial Disclosure Requirements for Civil Actions
- Rule 25A Leave of Court
- Rule 26 General Provisions Governing Discovery
- Rule 32 Using Depositions in Court Proceedings
- Rule 37 Failure to Make Disclosures or to Cooperate in Discovery; Sanctions
- Rule 38 Jury Trial of Right
- Rule 39 Trial by Jury or by the Court
- Rule 39A Jury Trial Procedures
- Rule 41 Dismissal of Actions
- Rule 43 Evidence
- Rule 47 Size of Jury; Juror Selection and Voir Dire
- Rule 48 Majority Verdict
- Rule 49 Special Verdict; General Verdict and Questions
- Rule 50 Judgment as a Matter of Law in a Jury Trial; Related Motion for a New Trial; Conditional Ruling
- Rule 51 Instructions to the Jury; Objections; Preserving a Claim of Error
- Rule 52 Findings and Conclusions by the Court; Judgment on Partial Findings
- Rule 56 Summary Judgment
- Rule 58 Entering Judgment
- Rule 59 New Trials; Amendment of Judgments
- Rule 60 Relief from a Judgment or Order
- Rule 61 Harmless Error
- Rule 62 Stay of Proceedings to Enforce a Judgment
- Rule 72 Appeal—How Taken
- Rule 72A Standing to Appeal; Appealable Determinations
- Rule 72B Appeal—When Taken
- Rule 73 Bond for Costs on Appeal
- Rule 73A Stay on Appeal—Supersedeas Bond
- Rule 80 Record or Transcript of Proceedings

CHAPTER 3 RULES OF THE DISTRICT COURTS OF THE STATE OF NEVADA

- Rule 1 Title
- Rule 2 Definitions of words and terms
- Rule 5 Scope, construction, and application of rules
- Rule 7 Setting of cases for trial; pretrial conferences

- Rule 8 Notice to clerk, attorneys when court will sit in county where court not in continuous session
- Rule 9 Law days: Precedence of law questions; notice; continuances
- Rule 11 Custody and withdrawal of papers, records and exhibits
- Rule 12 Form of papers presented for filing; exhibits; documents; legal citations
- Rule 13 Motions: Procedure for making motions; affidavits; renewal, rehearing of motions
- Rule 14 Motions for continuance: Contents, service of affidavits; counter-affidavits; argument
- Rule 15 Motions, issues of law: Oral hearings or submission on briefs; notice of and compliance with decisions
- Rule 16 Stipulations to be in writing or to be entered in court minutes
- Rule 17 Orders extending time; notice to opposing party
- Rule 18 Trial, hearing of cause, proceeding, motion entered into by one judge prevents action by another judge unless requested; only judge having charge of cause may grant further time to plead, act, unless the judge's inability shown by affidavit; modification of rule in judicial districts having more than one judge, another judge requested, or another judge assigned
- Rule 19 Application for writ, order to another judge prohibited when same application pending before different judge or previously denied; exception
- Rule 21 Preparation of order, judgment or decree
- Rule 23 Responding to discovery requests
- Rule 24 Filing orders

CHAPTER 4 SELECT CRIMINAL PROCEDURAL RULES

- NRS 171.082 No limitation for sexual assault if identity of accused person is established by conducting genetic marker analysis of biological specimen and obtaining DNA profile.
- NRS 171.083 No limitation for sexual assault or sex trafficking if written report filed with law enforcement officer during period of limitation; effect of disability on period of limitation.
- NRS 171.085 Limitations for felonies.
- NRS 171.095 Limitations for offenses committed in secret manner, offenses constituting sexual abuse or sex trafficking of child and offenses regarding personal identifying information.
- NRS 171.196 Preliminary examination: Waiver; time for conducting; postponement; introduction of evidence and cross-examination of witnesses by defendant.
- NRS 171.1965 Discovery by defendant before preliminary examination; material subject to discovery; effect of failure to permit discovery.

NRS	171.206	Procedure following preliminary examination.
NRS	173.115	Joinder of offenses.
NRS	174.015	Conduct of arraignment.
NRS	174.035	Types of pleas; procedure for entering plea.
NRS	174.085	Proceedings not constituting acquittal; effect of
		acquittal on merits; proceedings constituting bar to
		another prosecution; retrial after discharge of jury;
MDC	174.095	effect of voluntary dismissal. Defenses and objections which may be raised by
MIN	174.030	motion.
NRS	174.098	Motion to declare that defendant is intellectually
		disabled: When authorized; procedure.
NRS	174.105	Defenses and objections which must be raised by
		motion.
	174.115	Time of making motion.
	174.125	Certain motions required to be made before trial.
	174.135	Hearing on motion.
	174.145	Effect of determination.
NRS	174.227	Videotaped depositions: Order of court; notice to
NIDO	154.000	parties; cross-examination; use.
	174.228	Videotaped depositions: Use.
NRS	174.233	Disclosure by defendant of intent to claim alibi; defendant to disclose list of alibi witnesses;
		prosecuting attorney to disclose list of rebuttal
		witnesses; continuing duty to disclose; sanctions.
NRS	174.234	Reciprocal disclosure of lists of witnesses and
11100	1,1,201	information relating to expert testimony; continuing
		duty to disclose; protective orders; sanctions.
NRS	174.235	Disclosure by prosecuting attorney of evidence relating
		to prosecution; limitations.
NRS	174.245	Disclosure by defendant of evidence relating to
		defense; limitations.
	174.285	Time limits.
NRS	174.295	Continuing duty to disclose; failure to comply;
NDC	175.011	sanctions.
	175.011 175.141	Trial by jury. Order of trial.
	175.141 175.151	
	175.151 175.381	Number of counsel who may argue case.
NKS	175.561	Court may advise jury to acquit defendant when evidence on either side closed; motion for judgment
		of acquittal after verdict of guilty or guilty but
		mentally ill; subsequent motion for new trial.
NRS	175.387	Misconduct of defendant; sanctions.
NRS	175.552	When required; procedure; evidence.
NRS	176.0912	Biological evidence secured in connection with
		investigation or prosecution; required preservation.
NRS	176.153	Disclosure of report of presentence investigation:
		Report to include certain information relating to any
		gang affiliation of defendant.

- NRS 176.515 Court may grant new trial or motion to vacate judgment in certain circumstances.
- NRS 178.594 Order of disposing of issues on calendar.

CHAPTER 5 SELECT RULES OF PRACTICE

RULES OF PRACTICE FOR THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

- Rule 3 Criminal trials; appearance and withdrawal of attorneys
- Rule 4 Setting of cases
- Rule 5 Trial statements
- Rule 7 Jury instructions
- Rule 9 Preparation of findings, conclusions, and judgment
- Rule 10 Form of pleadings, motions, and other papers
- Rule 12 Motions; points and authorities and decisions
- Rule 13 Continuances

RULES OF PRACTICE FOR THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

- Rule 2.20 Motions; contents; responses and replies; calendaring a fully briefed matter
- Rule 2.21 Affidavits on motions
- Rule 2.22 Motions; appearance of counsel; and stipulations and orders for extension of time
- Rule 2.23 Motions decided without oral argument
- Rule 2.24 Rehearing of motions
- Rule 2.34 Discovery disputes; conferences; motions; stays
- Rule 2.40 Responding to discovery requests
- Rule 2.47 Motions in limine
- Rule 2.50 Consolidated and coordinated cases
- Rule 2.55 Discovery scheduling order
- Rule 2.60 Trial setting orders
- Rule 2.67 Meetings of counsel before calendar call or final pretrial conference; pretrial memorandum
- Rule 2.69 Calendar call
- Rule 2.75 Stipulations for dismissal
- Rule 3.20 Motions
- Rule 3.70 Papers which may not be filed
- Rule 7.20 Form of papers presented for filing; exhibits; documents; legal citations
- Rule 7.21 Preparation of order, judgment or decree
- Rule 7.22 Nunc pro tunc orders
- Rule 7.25 Orders extending time; notice to opposing party
- Rule 7.27 Filing of civil trial memoranda
- Rule 7.28 Custody and withdrawal of papers, records and exhibits
- Rule 7.30 Motions to continue trial settings
- Rule 7.40 Appearances; substitutions; withdrawal or change of attorney

- Rule 7.42 Appearances in proper person; entry of appearance
- Rule 7.50 Stipulations to be in writing or to be entered in court minutes
- Rule 7.60 Sanctions
- Rule 7.70 Voir dire examination

CHAPTER 6 NEVADA RULES OF EVIDENCE—UNANNOTATED

TITLE 4 WITNESSES AND EVIDENCE

CHAPTER 47 GENERAL PROVISIONS; JUDICIAL NOTICE; PRESUMPTIONS.

- NRS 47.020 Scope of title 4 of NRS.
- NRS 47.030 Purposes of Title 4 of NRS.
- NRS 47.040 Rulings on evidence: Effect of error.
- NRS 47.050 Rulings on evidence: Record of offer and ruling.
- NRS 47.060 Preliminary questions of admissibility: Determination.
- NRS 47.070 Preliminary questions of admissibility: Relevancy conditioned on fact.
- NRS 47.080 Determinations of admissibility: Hearing of jury.
- NRS 47.090 Preliminary hearings on confessions and evidence.
- NRS 47.100 Weight and credibility.
- NRS 47.110 Limited admissibility.
- NRS 47.120 Remainder of writings or recorded statements.

JUDICIAL NOTICE

- NRS 47.130 Matters of fact.
- NRS 47.140 Matters of law.
- NRS 47.150 Discretionary and mandatory notice.
- NRS 47.160 Opportunity to be heard.
- NRS 47.170 Time of taking notice.

PRESUMPTIONS

- NRS 47.180 Presumptions generally: Effect; direct evidence.
- NRS 47.190 Determination on evidence of basic facts.
- NRS 47.200 Determination on evidence of presumed fact: Where basic facts established.
- NRS 47.210 Determination on evidence of presumed fact: Where basic facts lacking.
- NRS 47.220 Determination on evidence of presumed fact: Where basic facts doubtful.
- NRS 47.230 Presumptions against accused in criminal actions.
- NRS 47.240 Conclusive presumptions.
- NRS 47.250 Disputable presumptions.

CHAPTER 48 RELEVANCY AND ITS LIMITS ADMISSIBILITY GENERALLY.

- NRS 48.015 "Relevant evidence" defined. NRS 48.025 Relevant evidence generally admissible; irrelevant evidence inadmissible. NRS 48.035 Exclusion of relevant evidence on grounds of prejudice, confusion or waste of time. NRS 48.039 Testimony of witness who previously underwent hypnosis to recall subject matter of testimony. NRS 48.045 Evidence of character inadmissible to prove conduct; exceptions; other crimes. NRS 48.055 Methods of proving character. NRS 48.059 Habit; routine practice. NRS 48.061 Effects of domestic violence. NRS 48.069 Previous sexual conduct of victim of sexual assault. NRS 48.071 Exclusion of evidence of address and telephone number of victim of sexual assault. NRS 48.075 Transactions and conversations with or actions of deceased person. NRS 48.077 Contents of lawfully intercepted communications. NRS 48.095 Subsequent remedial measures. NRS 48.105 Compromise; offers to compromise. NRS 48.109 Closure of meeting held to further resolution of dispute: exclusion of admission, representation or statement made during mediation proceedings; confidentiality of matter discussed during mediation proceeding. NRS 48.115 Payment of medical and similar expenses. NRS 48.125 Withdrawn plea of guilty or guilty but mentally ill or offer to plead guilty or guilty but mentally ill not admissible; plea of nolo contendere or offer to plead nolo contendere not admissible.
- NRS 48.135 Liability insurance.

CHAPTER 49 PRIVILEGES.

GENERAL PROVISIONS

- NRS 49.015 Privileges recognized only as provided.
- NRS 49.025 Required reports privileged by statute.
- NRS 49.027 Prevention of disclosure of privileged matter by interpreter.

LAWYER AND CLIENT

- NRS 49.035 Definitions.
- NRS 49.045 "Client" defined.
- NRS 49.055 "Confidential" defined.
- NRS 49.065 "Lawyer" defined.
- NRS 49.075 "Representative of the client" defined.

COURTROOM HANDBOOK ON NEVADA EVIDENCE

- NRS 49.085 "Representative of the lawyer" defined.
- NRS 49.095 General rule of privilege.
- NRS 49.105 Who may claim privilege.
- NRS 49.115 Exceptions.

PROCEEDINGS OF REVIEW COMMITTEE

- NRS 49.117 "Review committee" defined.
- NRS 49.119 General rule of privilege.
- NRS 49.121 Who may claim privilege.
- NRS 49.123 Exceptions.

ACCOUNTANT AND CLIENT

- NRS 49.125 Definitions.
- NRS 49.135 "Accountant" defined.
- NRS 49.145 "Client" defined.
- NRS 49.155 "Confidential" defined.
- NRS 49.165 "Representative of the accountant" defined.
- NRS 49.175 "Representative of the client" defined.
- NRS 49.185 General rule of privilege.
- NRS 49.195 Who may claim privilege.
- NRS 49.205 Exceptions.

PSYCHOLOGIST AND PATIENT

- NRS 49.207 Definitions.
- NRS 49.209 General rule of privilege.
- NRS 49.211 Who may claim privilege.
- NRS 49.213 Exceptions.

DOCTOR AND PATIENT

- NRS 49.215 Definitions.
- NRS 49.225 General rule of privilege.
- NRS 49.235 Who may claim privilege.
- NRS 49.245 Exceptions.

MARRIAGE AND FAMILY THERAPIST AND CLIENT

- NRS 49.246 Definitions.
- NRS 49.247 General rule of privilege.
- NRS 49.248 Who may claim privilege.
- NRS 49.249 Exceptions.

SOCIAL WORKER AND CLIENT

- NRS 49.251 Definitions.
- NRS 49.252 General rule of privilege.
- NRS 49.253 Who may claim privilege.
- NRS 49.254 Exceptions.

CLINICAL PROFESSIONAL COUNSELOR AND CLIENT

- NRS 49.2502 Definitions.
- NRS 49.2504 General rule of privilege.
- NRS 49.2506 Who may claim privilege.
- NRS 49.2508 Exceptions.

VICTIM'S ADVOCATE AND VICTIM

- NRS 49.2541 Definitions.
- NRS 49.2542 "Domestic violence" defined.
- NRS 49.2543 "Sexual assault" defined.
- NRS 49.2544 "Victim" defined.
- NRS 49.2545 "Victim's advocate" defined.
- NRS 49.2546 When communication deemed to be confidential; "communication" defined.
- NRS 49.2547 General rule of privilege.
- NRS 49.2548 Who may claim privilege.
- NRS 49.2549 Exceptions.

OTHER OCCUPATIONAL PRIVILEGES

- NRS 49.255 Confessor and confessant.
- NRS 49.265 Committees for review of medical or dental care.
- NRS 49.275 News media.
- NRS 49.285 Public officer as witness.
- NRS 49.290 Counselor and pupil.
- NRS 49.291 Teacher and pupil.

MISCELLANEOUS PRIVILEGES

- NRS 49.295 Married person: General rule of privilege; exceptions.
- NRS 49.305 Husband and wife: Exception for insanity.
- NRS 49.315 Political vote.
- NRS 49.325 Trade secrets.

IDENTITY OF INFORMER

- NRS 49.335 Privilege to refuse disclosure of identity of informer.
- NRS 49.345 Who may claim.
- NRS 49.355 Voluntary disclosure; informer a witness.
- NRS 49.365 Testimony on guilt or innocence.
- NRS 49.375 Legality of obtaining evidence.

WAIVER AND COMMENT

- NRS 49.385 Waiver of privilege by voluntary disclosure; exceptions.
- NRS 49.395 Privileged matter disclosed under compulsion or without opportunity to claim privilege.
- NRS 49.405 Comment upon or inference from claim of privilege; instruction.

CHAPTER 50 WITNESSES.

·	H I LLIV	WIII LEELE.
NRS	50.015	General rule of competency.
	50.025	Lack of personal knowledge.
	50.035	Oath or affirmation.
	50.045	Interpreters.
		-
NKS	50.050	Interpreters for person with communications disability: Definitions; appointment required in judicial
		proceedings; compensation; certain persons not
		required to pay for interpreter.
MDC	50.051	Interpreters for person with communications disability:
MIN	00.001	Appointment required in criminal proceedings.
MDC	50.0515	Interpreters for person with communications disability:
MIN	50.0515	Appointment of registered community interpreter
		required; exceptions.
MRC	50.052	Interpreters for person with communications disability:
MIN	00.002	Replacement; persons ineligible for appointment;
		selection and approval by person with
		communications disability.
NRS	50.053	Interpreters for person with communications disability:
11110	00.000	Oath; rights and privileges.
NRS	50.054	Interpreter for person with limited English proficiency:
11100	001001	Eligibility; oath; rights and privileges; replacement;
		payment of claims.
NRS	50.0545	Interpreter for person with limited English proficiency:
		Appointment required in criminal proceedings;
		appointment when certified or registered interpreter
		not available.
NRS	50.055	Competency: Judge as witness.
NRS	50.065	Competency: Juror as witness.
	50.067	Competency: Receipt of certain care or counseling.
	50.068	Competency: Defendant who agrees to testify against
11100	301000	another defendant pursuant to plea bargain.
NRS	50.070	Termination or threat of termination of employment
		because of service as witness prohibited; penalty;
		remedies.
NRS	50.075	Who may impeach.
NRS	50.085	Evidence of character and conduct of witness.
NRS	50.090	Evidence of previous sexual conduct of victim of sexual
		assault or statutory sexual seduction inadmissible to
		challenge victim's credibility; exceptions.
NRS	50.095	Impeachment by evidence of conviction of crime.
NRS	50.105	Religious beliefs or opinions.
	50.115	Mode and order of interrogation and presentation.
	50.125	Writing used to refresh memory.
	50.135	Prior statements of witness.
	50.145	Calling and interrogation of witness by judge.
	50.155	Exclusion and sequestration of witnesses.
		•
	50.165	Duty to appear and testify.
NRS	50.175	Witness protected from arrest when attending, going to
		and returning from court or other place of attendance.

NRS 50.185	Arrest of protected witness void; liability of arresting officer; affidavit of witness.
31DG =0.40F	
NRS 50.195	Penalties for disobedience.
NRS 50.205	Warrant for arrest of witness failing to attend;
	appointment of attorney; appearance before court or
	officer; exceptions for witness who is victim of
	domestic violence or sexual assault.
NRS 50.215	Examination of prisoner as witness; notification of Department of Corrections required.

FEES OF WITNESSES

NRS 50.225 Fees and expenses of witnesses.

NRS 50.245 Cases from municipal court brought before district court.

OPINIONS AND EXPERT TESTIMONY

NRS	50.260	"Prohibited substance" defined
NRS	50.265	Opinions: Lay witnesses.
NRS	50.275	Testimony by experts.
NRS	50.285	Opinions: Experts.

NRS 50.295 Opinions: Ultimate issues.

NRS 50.305 Disclosure of facts and data underlying expert opinion.

NRS 50.310 Admissibility of affidavit or declaration of laboratory director regarding results of test performed by medical laboratory.

- NRS 50.315 Admissibility of affidavit or declaration offered to prove certain facts concerning use of certain devices or withdrawal or holding of evidence related to determining presence of alcohol, controlled substance, chemical, poison, organic solvent or another prohibited substance.
- NRS 50.320 Admissibility of affidavit or declaration of chemist or other expert witness regarding presence in breath, blood or urine of alcohol, controlled substance, chemical, poison, organic solvent or another prohibited substance or regarding identity or quantity of controlled substance possessed.
- NRS 50.325 Procedure for admission of affidavit or declaration of expert or other person to prove existence of alcohol, quantity of controlled substance or existence or identity of controlled substance, chemical, poison, organic solvent or another prohibited substance in prosecution of certain criminal offenses.
- NRS 50.330 Testimony given pursuant to NRS 50.315 or 50.320 may be given by use of simultaneous audiovisual transmission; requirements for use.
- NRS 50.345 Expert testimony to show victim's behavior or condition is consistent with behavior or condition of victim of sexual assault.
- NRS 50.350 Expert testimony which concerns behavior of defendant

in preparing child or vulnerable person for sexual abuse.

DESIGNATION OF ATTENDANT TO PROVIDE SUPPORT TO VICTIM OF ACT OF DOMESTIC VIOLENCE

NRS 50.400 Applicability to proceedings in civil actions; qualifications, duties and limitations on conduct of attendant; designation of attendant as witness; "victim of an act of domestic violence pursuant to NRS 33.018" defined.

UNIFORM CHILD WITNESS TESTIMONY BY ALTERNATIVE METHODS ACT

- NRS 50.510 Definitions.
- NRS 50.520 "Alternative method" defined.
- NRS 50.530 "Child witness" defined.
- NRS 50.540 "Criminal proceeding" defined.
- NRS 50.550 "Noncriminal proceeding" defined.
- NRS 50.560 Applicability.
- NRS 50.570 Hearing to determine whether to allow testimony by alternative method.
- NRS 50.580 Standards for determining whether child witness may testify by alternative method.
- NRS 50.590 Factors for determining whether to permit alternative method.
- NRS 50.600 Order regarding testimony by alternative method.
- NRS 50.610 Right of party to examine child witness.
- NRS 50.620 Uniformity of application and construction.

PSYCHOLOGICAL OR PSYCHIATRIC EXAMINATIONS OF VICTIMS OF AND WITNESSES TO SEXUAL OFFENSES

NRS 50.700 Court may not order victim or witness to take or submit to psychological or psychiatric examination; exclusion of testimony of licensed psychologist, psychiatrist or clinical social worker; "sexual offense" defined.

CHAPTER 51 HEARSAY.

- NRS 51.015 Definitions.
- NRS 51.025 "Declarant" defined.
- NRS 51.035 "Hearsay" defined.
- NRS 51.045 "Statement" defined.
- NRS 51.055 "Unavailable as a witness" defined
- NRS 51.065 General rule.
- NRS 51.067 Hearsay within hearsay.
- NRS 51.069 Credibility of declarant.
- NRS 51.075 General exception; other exceptions illustrative.

xxvi

- NRS 51.085 Present sense impressions.
- NRS 51.095 Excited utterances.
- NRS 51.105 Then existing mental, emotional or physical condition.
- NRS 51.115 Statements for purposes of medical diagnosis or treatment.
- NRS 51.125 Recorded recollection.
- NRS 51.135 Record of regularly conducted activity.
- NRS 51.145 Absence of entry in records of regularly conducted activity.
- NRS 51.155 Public records and reports.
- NRS 51.165 Required reports.
- NRS 51.175 Absence of public record or entry.
- NRS 51.185 Records of religious organizations.
- NRS 51.195 Marriage, baptismal and similar certificates.
- NRS 51.205 Family records.
- NRS 51.215 Records of documents affecting interest in property.
- NRS 51.225 Statement in document affecting interest in property.
- NRS 51.235 Statements in ancient documents.
- NRS 51.245 Market reports; commercial publications.
- NRS 51.255 Learned treatises.
- NRS 51.265 Reputation concerning personal or family history.
- NRS 51.275 Reputation concerning boundaries or general history.
- NRS 51.285 Reputation as to character.
- NRS 51.295 Judgment of previous conviction.
- NRS 51.305 Judgment as to boundaries or personal, family or general history.
- NRS 51.315 General exception; other exceptions illustrative.
- NRS 51.325 Former testimony.
- NRS 51.335 Statement under belief of impending death.
- NRS 51.345 Statement against interest.
- NRS 51.355 Statement of personal or family history.

STATEMENT OF CHILD DESCRIBING SEXUAL CONDUCT OR PHYSICAL ABUSE

NRS 51.385 Admissibility; notice of unavailability or inability of child to testify.

CHAPTER 52 DOCUMENTARY AND OTHER PHYSICAL EVIDENCE.

AUTHENTICATION AND IDENTIFICATION

- NRS 52.015 Authentication or identification required.
- NRS 52.025 Testimony of witness with knowledge.
- NRS 52.035 Handwriting: Nonexpert opinion.
- NRS 52.045 Handwriting: Comparison by trier or expert witness.
- NRS 52.055 Handwriting: Distinctive characteristics.
- NRS 52.065 Identification by voice.

- NRS 52.075 Telephone calls.
 NRS 52.085 Public records and reports.
 NRS 52.095 Ancient documents; compilation of data.
- NRS 52.105 Process or system.

PRESUMPTIONS OF AUTHENTICITY

- NRS 52.115 Foreign public documents.
- NRS 52.125 Certified copies of public records.
- NRS 52.135 Officials publications.
- NRS 52.145 Newspapers; periodicals.
- NRS 52.155 Trade inscriptions, signs, tags and labels.
- NRS 52.165 Acknowledged documents.
- NRS 52.175 Subscribing witness' testimony unnecessary.

CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS

- NRS 52.185 Definitions.
- NRS 52.195 "Duplicate" defined.
- NRS 52.205 "Original" defined.
- NRS 52.215 "Photographs" defined.
- NRS 52.225 "Writings" and "recordings" defined.
- NRS 52.235 Original required.
- NRS 52.245 Admissibility of duplicates.
- NRS 52.247 Admissibility of rerecorded, copied or reproduced records; certain records of governmental agency deemed public records.
- NRS 52.252 Admissibility of copy or transcript of recordings of telephone calls made through system providing telephone number to be used in emergency.
- NRS 52.255 Admissibility of other evidence of contents.
- NRS 52.260 Record made in course of regularly conducted activity; affidavit required.
- NRS 52.265 Public records.
- NRS 52.275 Summaries.
- NRS 52.285 Testimony or written admission of party.
- NRS 52.295 Functions of judge and jury.

EXECUTION OF WRITINGS

- NRS 52.305 Marks instead of signatures; witnesses.
- NRS 52.315 Seal unnecessary.

MEDICAL RECORDS

- NRS 52.320 Definitions.
- NRS 52.325 Subpoenaed records: Delivery of authenticated copy by custodian; order for return of record; form of affidavit of authentication.
- NRS 52.335 Copies delivered to clerk of court: Custody; maintenance; return.

xxviii

- NRS 52.345 Notice of delivery to clerk of court.
- NRS 52.355 Order for production of original documents; appearance by custodian.
- NRS 52.365 Use of copies in discovery proceedings.
- NRS 52.375 Fees for subpoenas; admissibility of medical records.

DISPOSAL OF PHYSICAL EVIDENCE BEFORE CRIMINAL TRIAL

- NRS 52.385 Property evidencing crime: Return to person entitled to possession; admissibility of photographs in lieu of property; disposal of property not returned.
- NRS 52.395 Controlled substances, dangerous drugs and immediate precursors: Procedure for destruction of unnecessary quantity seized as evidence; disposal of hazardous waste.
- NRS 52.400 Marijuana: Procedure for destruction of unnecessary quantity seized as evidence

RECORDS OF CASINOS AND HOTELS

- NRS 52.405 Definitions.
- NRS 52.415 Authentication of copies.
- NRS 52.425 Subpoenaed records: Delivery of authenticated copy by custodian; notice and availability upon receipt; preservation.
- NRS 52.435 Order for production of original record; appearance by custodian.

RECORDS OF BANKING AND FINANCIAL INSTITUTIONS

- NRS 52.450 Definitions.
- NRS 52.460 Authentication of copies; form and contents of affidavit.
- NRS 52.470 Subpoenaed records: Delivery of authenticated copy by custodian; notice and availability upon receipt; preservation.
- NRS 52.480 Order for production of original record; appearance by custodian.

MISCELLANEOUS EVIDENCE

NRS 52.500 Evidence describing measurements of hazardous waste or hazardous material.

CHAPTER 7 FEDERAL RULES OF EVIDENCE—UNANNOTATED

ARTICLE I GENERAL PROVISIONS

- Rule 101 Scope; Definitions
- Rule 102 Purpose
- Rule 103 Rulings on Evidence
- Rule 104 Preliminary Questions

COURTROOM HANDBOOK ON NEVADA EVIDENCE

- Rule 105 Limiting Evidence That Is Not Admissible Against Other Parties or for Other Purposes
- Rule 106 Remainder of or Related Writings or Recorded Statements
- Rule 107 Illustrative Aids

ARTICLE II JUDICIAL NOTICE

Rule 201 Judicial Notice of Adjudicative Facts

ARTICLE III PRESUMPTIONS IN CIVIL CASES

- Rule 301 Presumptions in Civil Cases Generally
- Rule 302 Applying State Law to Presumptions in Civil Cases

ARTICLE IV RELEVANCE AND ITS LIMITS

- Rule 401 Test for Relevant Evidence
- Rule 402 General Admissibility of Relevant Evidence
- Rule 403 Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons
- Rule 404 Character Evidence; Other Crimes, Wrongs or Acts
- Rule 405 Methods of Proving Character
- Rule 406 Habit; Routine Practice
- Rule 407 Subsequent Remedial Measures
- Rule 408 Compromise Offers and Negotiations
- Rule 409 Offers to Pay Medical and Similar Expenses
- Rule 410 Pleas, Plea Discussions, and Related Statements
- Rule 411 Liability Insurance
- Rule 412 Sex-Offense Cases: The Victim's Sexual Behavior or Predisposition
- Rule 413 Similar Crimes in Sexual-Assault Cases
- Rule 414 Similar Crimes in Child-Molestation Cases
- Rule 415 Similar Acts in Civil Cases Involving Sexual Assault or Child Molestation

ARTICLE V PRIVILEGES

- Rule 501 Privilege in General
- Rule 502 Attorney-Client Privilege and Work Product; Limitations on Waiver

ARTICLE VI WITNESSES

- Rule 601 Competency to Testify in General
- Rule 602 Need for Personal Knowledge
- Rule 603 Oath or Affirmation to Testify Truthfully
- Rule 604 Interpreter
- Rule 605 Judge's Competency as a Witness
- Rule 606 Juror's Competency as a Witness
- Rule 607 Who May Impeach a Witness
- Rule 608 A Witness's Character for Truthfulness or Untruthfulness

- Rule 609 Impeachment by Evidence of a Criminal Conviction
- Rule 610 Religious Beliefs or Opinions
- Rule 611 Mode and Order of Examining Witnesses and Presenting Evidence
- Rule 612 Writing Used to Refresh a Witness's Memory
- Rule 613 Witness's Prior Statement
- Rule 614 Court's Calling or Examining a Witness
- Rule 615 Excluding Witnesses From the Courtroom; Preventing an Excluded Witness's Access to Trial Testimony

ARTICLE VII OPINIONS AND EXPERT TESTIMONY

- Rule 701 Opinion Testimony by Lay Witnesses
- Rule 702 Testimony by Expert Witnesses
- Rule 703 Bases of an Expert's Opinion Testimony
- Rule 704 Opinion on an Ultimate Issue
- Rule 705 Disclosing the Facts or Data Underlying an Expert's Opinion
- Rule 706 Court-Appointed Expert Witnesses

ARTICLE VIII HEARSAY

- Rule 801 Definitions That Apply to This Article; Exclusions From Hearsay
- Rule 802 The Rule Against Hearsay
- Rule 803 Exceptions to the Rule Against Hearsay—Regardless of Whether the Declarant Is Available as a Witness
- Rule 804 Exceptions to the Rule Against Hearsay—When the Declarant Is Unavailable as a Witness
- Rule 805 Hearsay Within Hearsay
- Rule 806 Attacking and Supporting the Declarant's Credibility
- Rule 807 Residual Exception

ARTICLE IX AUTHENTICATION AND IDENTIFICATION

- Rule 901 Authenticating or Identifying Evidence
- Rule 902 Evidence That Is Self-Authenticating
- Rule 903 Subscribing Witness's Testimony

ARTICLE X CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS

- Rule 1001 Definitions That Apply to This Article
- Rule 1002 Requirement of the Original
- Rule 1003 Admissibility of Duplicates
- Rule 1004 Admissibility of Other Evidence of Content
- Rule 1005 Copies of Public Records to Prove Content
- Rule 1006 Summaries to Prove Content
- Rule 1007 Testimony or Statement of a Party to Prove Content
- Rule 1008 Functions of the Court and Jury

ARTICLE XI MISCELLANEOUS RULES

Rule 1101 Applicability of the Rules

Rule 1102 Amendments

Rule 1103 Title

CHAPTER 8 NEVADA RULES OF EVIDENCE—ANNOTATED

ARTICLE I GENERAL PROVISIONS

CHAPTER 47 GENERAL PROVISIONS

Rule	101	Scope
Rule	102	Purpose and Construction
Rule	103	Rulings on Evidence
Rule	103(a)	Effect of Erroneous Ruling
Rule	103(b)	Record of Offer and Ruling
Rule	103(c)	Hearing of Jury
Rule	104	Preliminary Questions
Rule	104(a)	Questions of Admissibility Generally
Rule	104(b)	Relevancy Conditioned on Fact
Rule	104(c) and (d)	Hearing of Jury and Testimony by Accused
Rule	104(e)	Weight and Credibility
Rule	105	Limited Admissibility
Rule	106	Remainder of or Related Writings or Recorded Statements

ARTICLE II JUDICIAL NOTICE

CHAPTER 47 JUDICIAL NOTICE

Rule	201	Judicial Notice of Adjudicative Facts
Rule	201(b)	Kinds of Facts That May Be Judicially Noticed
Rule	201(c)	Taking Notice
Rule	201(d)	Timing
Rule	201(e)	Opportunity to Be Heard
Rule	201(f)	Instructing Jury

ARTICLE III PRESUMPTIONS IN CIVIL ACTIONS AND PROCEEDINGS

CHAPTER 47 PRESUMPTIONS

Rule 301 Presumptions in General in Civil Actions and Proceedings

ARTICLE IV RELEVANCY AND ITS LIMITS

CHAPTER 48 ADMISSIBILITY GENERALLY

- Rule 401 Definition of "Relevant Evidence"
 Rule 402 Relevant Evidence Generally Admissible; Irrelevant
- Evidence Inadmissible Rule 403 Exclusion of Relevant Evidence on Grounds of Prejudice,
- Confusion or Waste of Time
 Rule 404 Character Evidence Not Admissible to Prove Conduct;
 Exceptions; Other Crimes
- Rule 405 Methods of Proving Character
- Rule 406 Habit; Routine Practice
- Rule 407 Subsequent Remedial Measures
- Rule 408 Compromise and Offers to Compromise
- Rule 409 Payment of Medical and Similar Expenses
- Rule 410 Inadmissibility of Pleas, Plea Discussions, and Related Statements
- Rule 411 Liability Insurance
- Rule 412 Sex Offense Cases; Relevance of Alleged Victim's Past Sexual Behavior or Alleged Sexual Predisposition
- Rule 413 Evidence of Similar Crimes in Sexual Assault Cases
- Rule 414 Evidence of Similar Crimes in Child Molestation Cases
- Rule 415 Evidence of Similar Acts in Civil Cases Concerning Sexual Assault or Child Molestation

ARTICLE V PRIVILEGES

CHAPTER 49 PRIVILEGES.

Rule 501 General Rule

VIOLATIONS OF PRIVILEGE—REMEDIES

- NRS 49.395 Privileged matter disclosed under compulsion or without opportunity to claim privilege.
- NRS 49.405 Comment upon or inference from claim of privilege; instruction.

FREQUENTLY REFERENCED PRIVILEGES RECOGNIZED IN NEVADA

ATTORNEY/CLIENT

NRS 49.095 General rule of privilege.

PSYCHOLOGIST/PATIENT

NRS 49.209 General rule of privilege.

DOCTOR/PATIENT

NRS 49.225 General rule of privilege.

MARRIAGE AND FAMILY THERAPIST/CLIENT

NRS 49.247 General rule of privilege.

SOCIAL WORKER/CLIENT

- NRS 49.252 General rule of privilege.
- NRS 49.255 Confessor and confessant.
- NRS 49.275 News media.
- NRS 49.295 Married person: General rule of privilege; exceptions

OTHER PRIVILEGES RECOGNIZED IN NEVADA

ARTICLE VI WITNESSES

CHAPTER 50 WITNESSES.

- Rule 601 General Rule of Competency
- Rule 602 Lack of Personal Knowledge
- Rule 603 Oath or Affirmation
- Rule 604 Interpreters
- Rule 605 Competency of Judge as Witness
- Rule 606 Competency of Juror as Witness
- Rule 607 Who May Impeach
- Rule 608 Evidence of Character and Conduct of Witness
- Rule 609 Impeachment by Evidence of Conviction of Crime
- Rule 610 Religious Beliefs or Opinions
- Rule 611 Mode and Order of Interrogation and Presentation
- Rule 612 Writing Used to Refresh Memory
- Rule 613 Prior Statements of Witnesses
- Rule 614 Calling and Interrogation of Witnesses by Court
- Rule 615 Exclusion and Sequestration of Witnesses

ARTICLE VII OPINIONS AND EXPERT TESTIMONY

CHAPTER 50 WITNESSES.

- Rule 701 Opinion Testimony by Lay Witnesses
- Rule 702 Testimony by Experts
- Rule 703 Bases of Opinion Testimony by Experts
- Rule 704 Opinion on Ultimate Issue
- Rule 705 Disclosure of Facts or Data Underlying Expert Opinion
- Rule 706 Court Appointed Experts

ARTICLE VIII HEARSAY

CHAPTER 51 HEARSAY.

Rule 801	Definitions
Rule 801(a)	Statement
Rule 801(h)	Declarant

xxxiv

Rule	801(c)	Hearsay
Rule	802	Hearsay Rule
Rule	803	Hearsay Exceptions; Availability of Declarant Immaterial
Rule	803(1)	Present Sense Impressions
Rule	803(2)	Excited Utterances
Rule	803(3)	Then Existing Mental, Emotional or Physical Condition
Rule	803(4)	Statements for Purposes of Medical Diagnosis or Treatment
Rule	803(5)	Recorded Recollection
Rule	803(6)	Record of Regularly Conducted Activity
Rule	803(7)	Absence of Entry in Records Kept in Accordance with the Provisions of Paragraph (6)
Rule	803(8)	Public Records and Reports
Rule	803(9)	Records of Vital Statistics
Rule	803(10)	Absence of Public Record or Entry
Rule	803(11)	Records of Religious Organizations
Rule	803(12)	Marriage, Baptismal, and Similar Certificates
Rule	803(13)	Family Records
Rule	803(14)	Records of Documents Affecting an Interest in Property
Rule	803(15)	Statements in Documents Affecting an Interest in Property
Rule	803(16)	Statements in Ancient Documents
Rule	803(17)	Market Reports, Commercial Publications
Rule	803(18)	Learned Treatises
Rule	803(19)	Reputation Concerning Personal or Family History
Rule	803(20)	Reputation Concerning Boundaries or General History
Rule	803(21)	Reputation as to Character
Rule	803(22)	Judgment of Previous Conviction
Rule	803(23)	Judgment as to Personal, Family or General History, or Boundaries
Rule	804	Hearsay Exceptions; Declarant Unavailable
Rule	804(a)	Definition of Unavailability
Rule	804(b)	Hearsay Exceptions
Rule	804(b)(1)	Former Testimony
Rule	804(b)(2)	Statement under Belief of Impending Death
Rule	804(b)(3)	Statement against Interest
Rule	804(b)(4)	Statement of Personal or Family History
Rule	805	Hearsay within Hearsay
Rule	806	Attacking and Supporting Credibility of Declarant
D1	807	Residual Exception

ARTICLE IX AUTHENTICATION AND IDENTIFICATION

CHAPTER 52 DOCUMENTARY AND OTHER PHYSICAL EVIDENCE.

Rule	901	Requirement of Authentication or Identification
Rule	901(1)	Testimony of Witness with Knowledge
Rule	901(2)	Nonexpert Opinion on Handwriting
Rule	901(3)	Comparison by Trier or Expert Witness
Rule	901(4)	Distinctive Characteristics and the Like
Rule	901(5)	Voice Identification
Rule	901(6)	Telephone Conversations
Rule	901(7)	Public Records or Reports
Rule	901(8)	Ancient Documents or Data Compilation
Rule	901(9)	Process or System
Rule	901(10)	Methods Provided by Statute or Rule
Rule	902	Self-authentication
Rule	902(1)	Domestic Public Documents under Seal
Rule	902(3)	Foreign Public Documents
Rule	902(4)	Certified Copies of Public Records
Rule	902(5)	Official Publications
Rule	902(6)	Newspapers and Periodicals
Rule	902(7)	Trade Inscriptions and the Like
Rule	902(8)	Acknowledged Documents
Rule	902(9)	Commercial Paper and Related Documents
Rule	902(10)	Presumptions under Acts of Congress
Rule	902(11)	Certified Domestic Records of Regularly Conducted Activity
Rule	902(12)	Certified Foreign Records of Regularly Conducted Activity
Rule	903	Subscribing Witness' Testimony Unnecessary

ARTICLE X CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS

CHAPTER 52 CONTENTS OF WRITINGS, RECORDINGS AND PHOTOGRAPHS

Rule	1001	Definitions
Rule	1001(1)	Writings and Recordings
Rule	1001(2)	Photographs
Rule	1001(3)	Original
Rule	1001(4)	Duplicate
Rule	1002	Requirement of Original
Rule	1003	Admissibility of Duplicates
Rule	1004	Admissibility of Other Evidence of Contents
Rule	1005	Public Records
Rule	1006	Summaries
Rule	1007	Testimony or Written Admission of Party

xxxvi

TABLE OF CONTENTS

Rule 1008 Function of Court and Jury

ARTICLE XI MISCELLANEOUS RULES

Rule	1101	Applicability of Rules
Rule	1101(a)	Courts and Judges
Rule	1101(b)	Proceedings Generally
Rule	1101(c)	Rule of Privilege
Rule	1101(d)	Rules Inapplicable
Rule	1101(d)(1)	Preliminary Questions of Fact
Rule	1101(d)(2)	Grand Jury
Rule	1101(d)(3)	Miscellaneous Proceedings
Rule	1101(e)	Rules Applicable in Part
Rule	1102	Amendments
Rule	1103	Title

APPENDICES

Appendix A. Sample Foundations

Appendix B. Sample Objections and Responses

Index