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2010-1

FILED

JAN 11 10 43 AM '10

DISTRICT COURT *Alan D. Johnson*
CLERK OF THE COURT

CLARK COUNTY, NEVADA

IN THE ADMINISTRATIVE MATTER)
OF THE ASSIGNMENT OF THE) ADMINISTRATIVE
BOND CALENDAR IN THE) ORDER 2010-1
EIGHTH JUDICIAL DISTRICT COURT)
_____)

**ADMINISTRATIVE ORDER REGARDING THE
ASSIGNMENT OF THE BOND CALENDAR**

WHEREAS, for several years, the chief judge of the Eighth Judicial District Court has managed the bond calendar on the first Friday of each month. This calendar consists of NRS Chapter 178 bond matters in district court cases, and appeals from bond decisions made in municipal court and justice court.

WHEREAS, the Nevada Supreme Court issued a decision in *Landreth v. Malik*, 125 Nev. Adv. Op 61 on December 24, 2009. In that decision, the Nevada Supreme Court concluded that NRS 3.223 prescribes the jurisdiction of the family court, and since that case involved a matter not enumerated in NRS 3.223, the family court lacked subject matter jurisdiction to enter judgment in that case. The chief judge of the Eighth Judicial District Court was appointed to the family division in 1999, has been a district judge in the family division since 1999. The chief judge was selected by the district judges of the Eighth Judicial District Court, and was approved as chief judge by the Nevada Supreme Court in 2008.

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WHEREAS, the *Landreth v. Malik* decision raises questions about whether the chief judge of the district court, who was appointed and elected to the family division, has jurisdiction to continue to hear the bond calendar.

WHEREAS, the Eighth Judicial District Court Rule 1.30 (b)(5) provides that the chief judge make regular and special assignments of all judges, and hear or reassign emergency matters when a judge is absent or otherwise unavailable.

WHEREAS, the Eighth Judicial District Court Rule 1.30 (b)(18) provides that the chief judge assure that court duties are timely and orderly performed.

WHEREAS, the Eighth Judicial District Court Rule 1.30 (b)(18)(iv) provides, in part, that to facilitate the business of the court, the chief judge may delegate the duties prescribed in these rules to other judges.

WHEREAS, the assignment of the bond calendar to a district judge who serves in the civil/ criminal division is necessary in light of the *Landreth v. Malik* decision and is an efficient management decision for the court and the court's justice partners.

Therefore,

IT IS HEREBY ORDERED that the Honorable David Barker, District Court, Department 18, shall hear the bond calendar pursuant to this administrative order for the Eighth Judicial District Court.

IT IS FURTHER ORDERED that the effective date of this assignment was January 11, 2010, and shall continue until modified or rescinded by a subsequent Administrative Order.

DATED this 11th day of January, 2010.



CHIEF JUDGE