



Nevada

Legal Resources

Presented by
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Law Library Hours:

Monday and Friday, 8am to 5pm
Tuesday– Thursday, 8am to 7pm
Saturday, 10am to 5pm

Reference Desk;

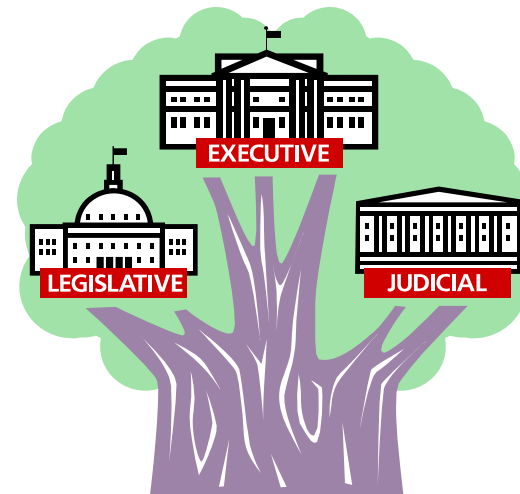
Phone: 328-3250

E-mail: lawlib@washoecounty.us

Website: www.washoecounty.us/lawlib

Nevada Legal Resources

- Today we will cover:
 - Legal advice in the library.
 - Legal research
 - Primary Sources of Law
 - Judicial
 - Legislative
 - Executive
 - Local Resources
 - Secondary Resources
 - Legal forms
 - Legal Resource Websites



About Legal Advice in the Library

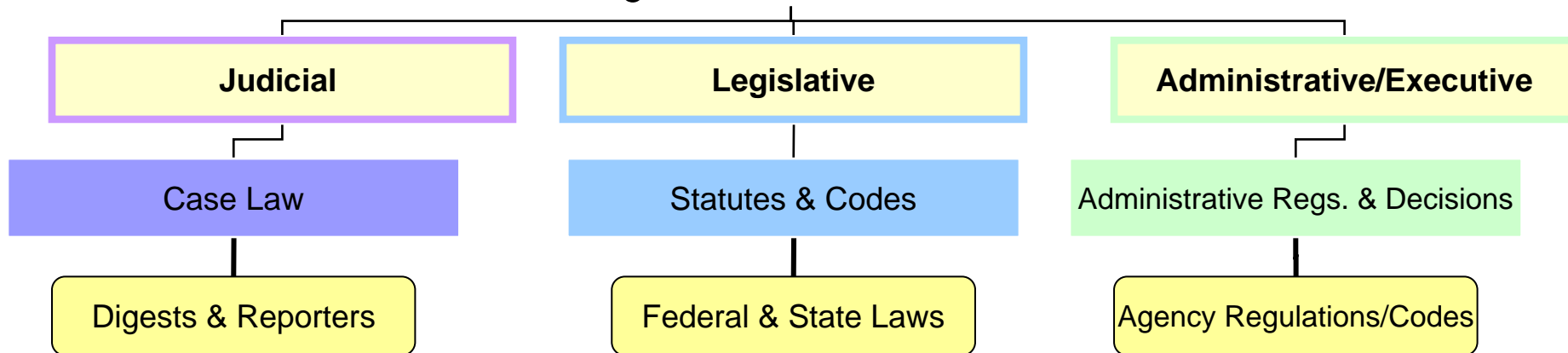
■ Librarians:

- are prohibited by law from giving legal advice.
 - See NRS 7.285 “A person shall not practice law in this state if the person: (a) Is not an active member of the State Bar of Nevada or otherwise authorized to practice law in this state pursuant to the rules of the supreme court...”
- can only give research tips and provide instruction on how to use materials and resources.
- cannot interpret the law.

Doing legal research...

- **Be clear about the scope of your project.**
 - How big of project will it be?
 - Do you have the legal knowledge to help yourself?
 - How much time (and money) can you devote to the project?
- **Be sure you have the basic facts.**
 - Ask the "who, what, when, where, why and how" questions.
 - This may seem obvious, but you have to be sure you understand the facts surrounding your legal issue before you start.
- **Articulate your legal issue.**
 - What jurisdiction is involved?
 - Federal or state?
 - Is this a civil or criminal matter?
 - Criminal Law Basics – from lawyers.com - <http://criminal.lawyers.com/Criminal-Law-Basics/>
 - Who are the parties and what relief is sought?
- **Consider which of three groups may have established the law on this issue:**
 - The legislature, the courts or the executive branch.
 - It is quite possible that two and possibly all three groups have touched on the topic.
 - Then look for to the statute, case or regulation that applies.
- **Primary and secondary legal resources will be necessary to fully understand the issue.**

Primary Sources of Law



Nevada Case Law:
Reported in the Nevada Reports & the Pacific Reporter
Only cases heard in the NV Supreme Court in Carson City are published.
www.nevadajudiciary.us/

Nevada Revised Statutes:
Nevada Statutes are bills passed by the Nevada Legislature in Carson City
www.leg.state.nv.us

Nevada Administrative Code:
Regulations that state agencies follow.
www.leg.state.nv.us

Case law is the reported decisions of selected appellate and other courts (called courts of first impression) which make new interpretations of the law and, therefore, can be cited as precedents in a process known as stare decisis. These interpretations are distinguished from statutory law which are the statutes and codes enacted by legislative bodies; regulatory law which are regulations established by governmental agencies based on statutes.

(Taken from Wikipedia Case Law http://en.wikipedia.org/wiki/Case_law access 09/07/10.)

Nevada Judicial Branch of Government

Nevada Supreme Court

located in Carson City

These are the only Nevada cases published.

These published cases are what makes up NV CASE LAW

www.nevadajudiciary.us/

District Court Courts

Nine Judicial Districts in Nevada

17 District Courts

www.ncsconline.org/d_kis/CourtWebSites/CtWeb_NVdistrict.htm

www.nevadajudiciary.us/index.php/district

Justice Court

45 Justice Courts in Nevada

<http://www.nevadajudiciary.us/index.php/justice>

Municipal Court

17 Municipal Courts in Nevada

<http://www.nevadajudiciary.us/index.php/municipal>

Link to listing of all state courts: http://www.ncsconline.org/D_KIS/info_court_web_sites.html#state

The Nevada Judiciary

- The Municipal Courts manage cases involving violations of **traffic and misdemeanor ordinances that occur within the city limits** of incorporated municipalities. Each of these courts are funded by the city.
- The Justice Courts handle **misdemeanor crime and traffic matters, small claims disputes, evictions, and other civil matters less than \$10,000**. The justices of the peace also preside over felony and gross misdemeanor arraignments and conduct preliminary hearings to determine if sufficient evidence exists to hold criminals for trial at District Court.
- The District Courts have general jurisdiction over all legal disputes. These are the courts where **criminal, civil, family, and juvenile matters are generally resolved** through arbitration, mediation, and bench or jury trials. The judges also hear appeals from Justice and Municipal Court cases.
- The Supreme Court is the state's highest court and its primary responsibility is to **review and rule on appeals from District Court cases**.
- Information take from the Nevada Judiciary webpage:
<http://www.nevadajudiciary.us/index.php/aboutthenevadajudiciary> for more information visit this site.

Nevada Case Law Resources

■ Print Resources for Nevada Case Law

- National Reporter System (next slide)
- Cases are reported/published in the **Nevada Reporter** and the **Pacific Reporter**
- The **Pacific Digest** is the **subject index** to the Pacific Reporter.

■ Availability of Electronic Resources

- NV Supreme Court Advanced Opinions - 90 days of recent opinions on their webpage.
 - <http://www.nevadajudiciary.us/index.php/advancedopinions>
- Free online case law:
 - Lexis One – www.lexisone.com Free case law back 10 years.
 - There are other providers such as google scholar, and justia.
- Proprietary: only within a library that subscribes:
 - Currently WCLL subscribes to Westlaw, LexisNexis, and LoisLaw
- Online Citators - Important in verifying the history of a case.
 - Many people still refer to this as Shepardizing, Shepard's Citations is the only print version of this tool which began publishing this service in 1873.
 - Lexis now owns Shepard's and Westlaw calls their version Keycite, and there are a few others but none as commonly used as these two.
 - Marion Gould School of Law, U of Washington <http://lib.law.washington.edu/ref/oncite.html>

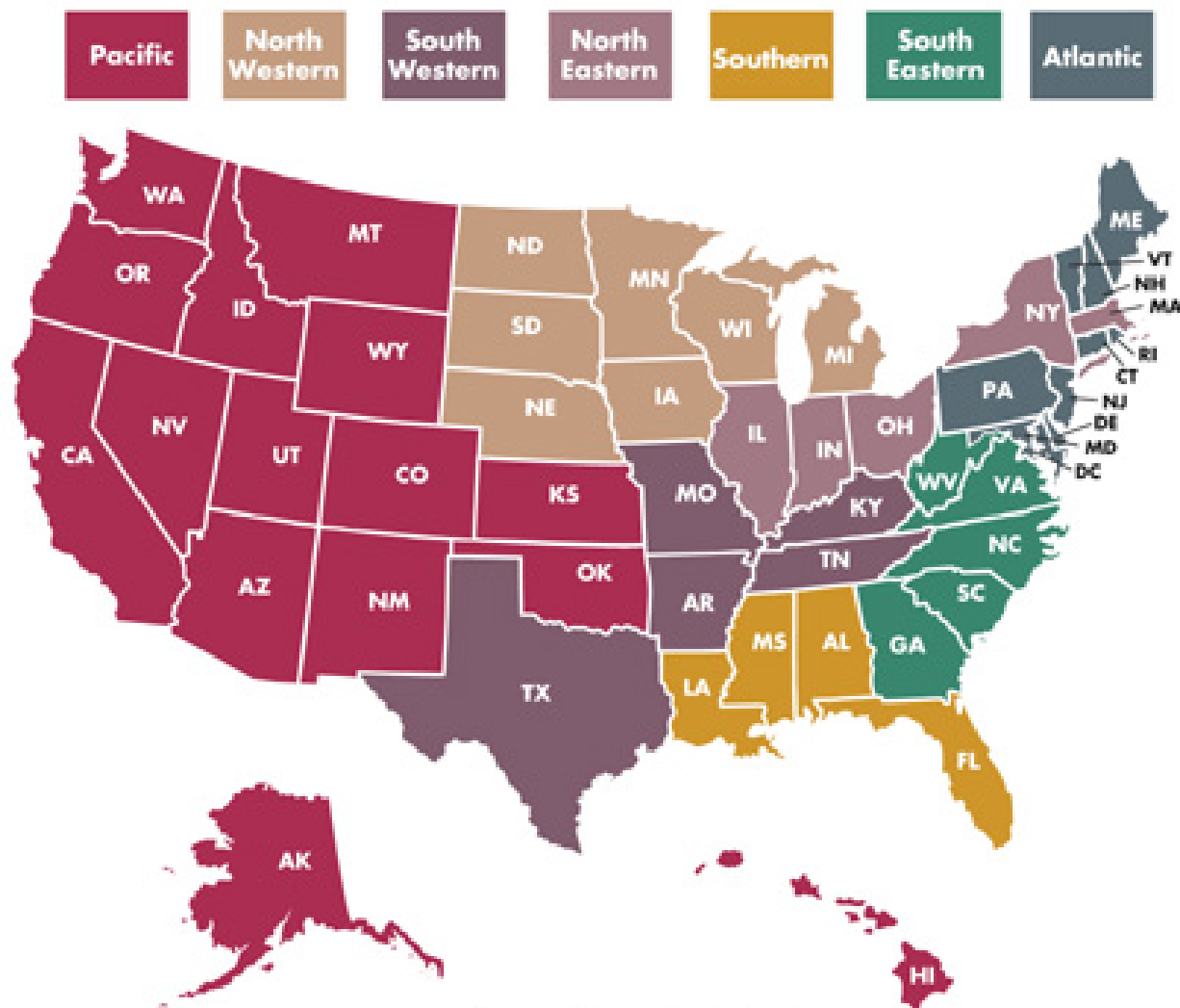
■ Nevada Revised Statutes – Annotations are in print version only

- Mentioned here only because the annotations will have **case law or AG opinions** that provide critical and explanatory notes or commentary.
- **Court Rules** are located at the Nevada Law Library www.leg.state.nv.us/law1.cfm
 - Nevada Rules of Civil Procedure - the rules someone must follow when taking action in the court.

Regional Reporters (State Cases)

Since 1879, West's National Reporter System has compiled cases from state and federal courts and organized them into various reporter sets.

Each zone represents a title/reporter that those state's case law is published in.



National Reporter System Map
showing the states included in each reporter

Clark and Washoe District Court Cases

■ Clark County Eighth Judicial District Court

- Clark County is electronic filing only
www.clarkcountycourts.us/clerk/index.html
- Direct <http://courtgate.coca.co.clark.nv.us/>
 - Links available on www.clarkcountycourts.us
 - Civil, Criminal, Probate & Family Court filings available
 - Justice Court Traffic Citation look up available
 - Look up text version only of cases filed
- Physical locations to view actual documents
 - www.clarkcountycourts.us/clerk/records-search.html
- To view images of filed documents from your computer
 - Register and view at this site <http://wiznet.wiznet.com/clarknv/pages/about.html>

■ Washoe County Second Judicial District Court

- Washoe County anticipates going electronic filing only in the near future.
 - Currently offers electronic filing <http://washoecourts.com/index.cfm?page=eFlex>
- Direct www.ccwashoe.com/
 - Links available on www.washoecourts.com
 - Civil, Criminal, Probate & Family Court filings available
 - Look up text version only of cases filed in District Court.
- Physical locations to view documents
 - Clerk's offices (District @ 75 Court St., Justice or Municipal @ 1 S. Sierra)
- To view images of filed documents
 - Law Library and Clerk's Office (75 Court St.)

Jurisdiction

State Courts	Federal Courts	State or Federal Courts
<p>Crimes under state legislation. State constitutional issues and cases involving state laws or regulations. Family law issues. Real property issues. Most private contract disputes (except those resolved under bankruptcy law). Most issues involving the regulation of trades and professions. Most professional malpractice issues. Most issues involving the internal governance of business associations such as partnerships and corporations. Most personal injury lawsuits. Most workers' injury claims. Probate and inheritance matters. Most traffic violations and registration of motor vehicles.</p>	<p>Crimes under statutes enacted by congress. Most cases involving federal laws or regulations (for example: tax, Social Security, broadcasting, civil rights) Matters involving interstate and international commerce, including airline and railroad regulation. Cases involving securities and commodities regulation, including takeover of publicly held corporations. Admiralty cases. International trade law matters. Patent, copyright, and other intellectual property issues. Cases involving rights under treaties, foreign states, and foreign nationals. State law disputes when "diversity of citizenship" exists. Bankruptcy matters. Disputes between states. Habeas corpus actions. Traffic violations and other misdemeanors occurring on certain federal property.</p>	<p>Crimes punishable under both federal and state law. Federal constitutional issues. Certain civil rights claims. "Class action" cases. Environmental regulations. Certain disputes involving</p>

<http://www.uscourts.gov/EducationalResources/FederalCourtBasics/CourtStructure/JurisdictionOfStateAndFederalCourts.aspx>

Nevada Legislative Branch

Nevada Revised Statutes (NRS)

- Statutory law is written law created by a legislature.
- The term codified law refers to statutes that have been organized ("codified") by subject matter.
- Nevada Revised Statutes (NRS) are codified, the print version is "Official".
 - Nevada Law Library hosts NRS online www.leg.state.nv.us/law1.cfm
 - Within the NRS a statute will have at the end in parenthesis the year the law was added and any changes made since.
 - This is important for legislative history research.
 - Find out the intent of the law makers.
 - Meeting minutes detail the discussions of legislators, some are online others on microfiche.
- The Statutes of Nevada are not codified and are organized by bill number and contain the deleted (crossed out) or added (italicized) version of the law.

Nevada Executive Branch Created Laws

Nevada Administrative Code (NAC)

- **Administrative law is the body of law that governs the activities of administrative agencies of government.**
- **Nevada Administrative Code is online at the Nevada Law Library**
 - Nevada Law Library hosts the NAC online at www.leg.state.nv.us/law1.cfm
 - The NAC usually mirrors the NRS.
 - Nevada Agencies under the Governor www.nv.gov/NV_default4.aspx?id=238
- **Simplified version of what Agency Laws are:**
 - The NAC contains regulations administered by the Executive Branch.
 - They are how you're supposed to do it.
 - In relation to:
 - The NRS contains laws made by the Legislative Branch of government.
 - They are what you're supposed to do.
- **As a body of law, administrative law deals with the decision making of administrative divisions.**
 - Tribunals, boards and commissions.
 - Example: Workers Comp. and Unemployment Boards
 - If a person disagrees with the decision of an Administrative Judge they then can file a “Petition for Judicial Review” with the district court.
 - A district court judge will review the administrative judges decision.

Washoe County Code & Sparks/Reno Municipal Codes

■ Washoe County Code

- In print at the Reference Desk.
- Online at http://www.washoecounty.us/clerks/county_code.php

■ Municipal Codes

- Reno and Sparks available in print at the Reference Desk.
- Online at
 - www.Reno.gov – Government, City Clerk, Reno Municipal Code
http://www.municode.com/Resources/ClientCode_List.asp?cid=4048&cn=Reno&sid=28
 - Sparks http://www.ci.sparks.nv.us/governing/muni_code/

Nevada Secondary Resources

- Legal treatises are usually a multi-volume work written about one legal topic written by an expert.

- Library of Congress Classification:
KF (American Law) Nevada specific is KFN
 - Nevada has minimal state specific treatises.
 - CLE – Continuing Legal Education books are generally what is collected.
 - Sample of type of CLE books www.nbi-sems.com
 - Washoe Co. LL also collects California treatises because of the lack of Nevada treatises.

- Electronic Resources:
 - Treatise type information is most often proprietary and included only in subscription databases such as Westlaw & Lexis.
 - Most public law libraries will have either Westlaw or Lexis subscriptions
 - Secondary legal information generally cannot be found anywhere but in subscription databases and/or in print resources that are published by these same companies.
 - Call your local law library to find out what electronic resources are available.

Information About Forms

- Forms are not “the law”
- Make sure that any form to be filed with a court:
 - Is based on the law of the correct jurisdiction
 - Is based on law that is currently in force
 - Complies with the appropriate court rules
 - **Nevada Court Rules are available on the web at www.leg.state.nv.us/CourtRules/index.html**
 - The law library has all NV court rules in print
- The Official Handbook of Nevada Legal Forms
 - A two volume printed set of a variety of forms, also on CD-Rom
 - This is a good start, but will not have everything in it.
 - In general Nevada does not have many forms online in comparison to states like California www.courtinfo.ca.gov/selfhelp/ (CA Courts Self-help)
- There are many “Form” books available at larger law libraries; search the online catalog or ask for assistance.
- Unless the form is from an official court website it is a **SAMPLE ONLY** and must be **RETYPED** to comply with the rules of the court in which it is going to be submitted.

Nevada Forms

It is legal advice to select a form for a patron.

- Clark County Law Library
 - www.accessclarkcounty.com/law_library
 - **Comprehensive Forms Index** → click on “Legal Forms” on left side of homepage, then “Comprehensive Forms Index”.
 - Great searchable resource for locating a variety of forms for Nevada.
 - Some will have links, others will tell you to look in a book.
 - Not every form someone requires will be in here or anywhere.
- Nevada Supreme Court
 - Law Library <http://lawlibrary.nevadajudiciary.us/>
 - Self-help Page www.nevadajudiciary.us/index.php/selfhelp
- Washoe County - Reno:
 - www.washoecourts.com/index.cfm?page=selfhelp
 - Accessible through www.washoecourts.com
 - Reno Justice Court www.washoecounty.us/rjc/rjc_forms.htm
 - Washoe Co. Law Library www.washoecounty.us/lawlib/forms/htm
- Clark County – Las Vegas
 - Justice Court www.clarkcountycourts.us/lvjc/court-forms.html
 - District www.clarkcountycourts.us/clerk/common-forms.html
 - Accessible through www.clarkcountycourts.us
- Remember to check the applicable court’s website and/or call the court clerk’s office to find out what “official” forms are available or if they have recommendations.

Nevada Legal Resources

- **Washoe County Law Library, Reno – 328-3250**
 - www.washoecounty.us/lawlib
 - Nevada Legal Resources Directory www.nvlawdirectory.org

- **Law Library Lawyer in the Library**
 - Family Law on Tuesday
 - General Law on Wednesday
 - Lottery at 4:30 p.m. - sign-up afterwards – first come first served after the lottery.
 - Both programs begin by 5pm to 7pm
 - Space is limited
 - 10 minute consultation with a volunteer attorney.

- **Monthly Legal Seminars – different topic each month**
 - Usually every fourth Thursday of the month at 5:00pm.
 - Call the library to register for a seminar at 328-3250.
 - The topics are posted on our website, or a monthly email.
 - Most Seminars have been taped and you can check out a copy.
 - Also, play on Charter Ch. 17
 - Past seminars can be watched at Washoe Channel online <http://www.washoecounty.us/mgrsoff/wctv.html>

Nevada Legal Resources

- Supreme Court of Nevada Law Library, Carson City – 684-1640
 - <http://lawlibrary.nevadajudiciary.us/>
 - Forms and Pleading Instructions

- 2nd Judicial District Court, Family Court Self-Help Center, Reno – 325-6731
 - www.washoecourts.com/index.cfm?page=selfhelp or www.washoecourts.com and click on yellow link near top center of page “Self Help Forms”.
 - Forms can be purchased for \$3 at the filing office (75 Court St.) or at the Family Self-Help Center (one S. Sierra). Currently forms are not online.
 - Notary available for family court forms – free.
 - Pleading instructions (Rule 10) for 2nd Judicial District Court at www.washoecourts.com

- Washoe Legal Services, Reno - 329-2727
 - www.washoelegalservices.org
 - Offer weekly forms clinic at Washoe County Courthouse, 75 Court St.
 - Check website and call for additional clinics
 - Website has topical information
 - Consumer Law
 - **Landlord Tenant** ← helpful online brochure

Nevada Legal Resources

- Senior Law Project, Reno – 328-2592
 - www.washoecounty.us/seniorsrv/legal.htm
 - The Senior Law Project provides a wide variety of services depending on need and type of problem, check website or call for more information.
 - Website has topical “Informational Brochures”.

- Catholic Community Services of No. NV - Immigration Assistance, Reno – 322-7073 ext.239 or 240
 - www.ccsnn.org/Immigration.asp
 - Helps with - Naturalization, Citizenship, Family Visa Petitions, Adjustment of Status, Document Translation and Interpretation Services

- Volunteer Attorneys of Rural Nevada (VARN), Carson City – 883-8278
 - www.varn.org
 - Serves these counties - Carson City County, Churchill County, Douglas County, Lyon County and Storey County
 - Helps domestic abuse victims, some civil cases, divorce clinics, “Lawyer in the Lobby” program.

- CARE Law Program - www.nevadaruralrsvp.org (click on “about RSVP” for link to law program).
 - Serves rural Nevada

Nevada Legal Resources

- Clark County Family and Civil Law Self-Help Centers
 - www.clarkcountycourts.us/shc/
 - www.clarkcountycourts.us/CivilSHC/index.html
 - Legal Topic Explanations (Hot Topic: Eviction After Foreclosure)
 - Forms for Clark Co.

- Legal Aid Center of Southern Nevada www.lacsn.org/
 - Great resource for topical online brochures.

- Nevada Legal Services www.nlslaw.net/
 - Offices in Las Vegas, Carson City, Reno & Elko
 - Click on “What we do”
 - Some forms (in particular a Petition for Judicial Review)
 - Hosts a forms clinic at 75 Court St. on the 1st & 3rd Thursday.

- UNLV William S. Boyd School of Law:
 - Law Library <http://law.unlv.edu/library/index.html>
 - Community Legal Education Classes
www.law.unlv.edu/communityService.html

- City of Las Vegas Senior Citizens Law Project www.lasvegasnevada.gov/ Click on "Resident" along the top of the page; then scroll down to "Senior Services" and click on "Senior Law Project".

General Resources for Legal Information on the Internet

Check how current the information is and the last time it was updated.

- Findlaw.com - a good place to check for federal and state law. www.findlaw.com
- Nolo Press - law for lay people materials & informative website www.nolo.com/
- LexisOne – 10 years case law for free www.lexisone.com/
- Cornell Law School – <http://library.lawschool.cornell.edu/>
 - Legal Information Institute www.law.cornell.edu/
 - Basic Legal Research Guide
<http://library.lawschool.cornell.edu/WhatWeDo/ResearchGuides/basics.cfm>
- U.S. Law Library of Congress - Guide to Law Online www.loc.gov/law/guide/index.html
- American Association of Law Libraries www.aallnet.org
 - Legal Information Services to the Public (SIS) www.aallnet.org/sis/lisp/
 - How to Research a Legal Problem: A Guide for Non-Lawyers
www.aallnet.org/products/HowToResearchLegalProblem.pdf
- The California Council of Public Law Libraries www.publiclawlibrary.org/
 - Basic Legal Research-A Mini Research Class www.publiclawlibrary.org/research.html
- Nevada Bar Association www.nvbar.org See “Publications” and “Pamphlets”
- Clark County Bar Association www.clarkcountybar.org
- Washoe County Bar Association www.wcbar.org
- Find Attorneys Everywhere – Martindale www.martindale.com



Important Final Thought Updating

- ★ The law and legal resources change constantly.
- ★ Legal researchers must be careful to update their work.

Thank you!

Don't hesitate to contact me if you have questions or suggestions concerning this presentation. mclive@washoecounty.us or 328-3250