

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SUMMARY OF AMENDMENTS TO LOCAL CRIMINAL RULES

General Order 2016-01 (May 1, 2016)

NOTE: This document contains only a summary of selected rules and is intended to address only those amendments that may have the greatest immediate effect on your practice. Practitioners are encouraged to review all of the amendments in detail.

Rule #	TITLE	SUMMARY OF CHANGES NOTES/COMMENTS/REFERENCES
LCR 4-1.	COMPLAINT, WARRANT, OR SUMMONS BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS	<ul style="list-style-type: none">➤ New rule that provides standards and procedures for using a telephone or other reliable electronic means to communicate information for the Court to consider regarding a complaint, warrant, or summons.➤ The determination of whether to consider information communicated by telephone or electronic means lies in the discretion of the Court.➤ The rule sets out the information that must be included in the document. Additionally, the rule makes clear that it is the responsibility of the requesting party to, among other things, record the testimony, certify its accuracy and file it.
LCR 10-1.	WRITTEN WAIVER OF DEFENDANT’S APPEARANCE AT ARRAIGNMENT	<ul style="list-style-type: none">➤ Stylistic changes to existing rule for the purpose of clarity, brevity, and stylistic conformity with Local Civil Rules.
LCR 12-1.	TIME FOR FILING MOTIONS, RESPONSES AND REPLIES.	<ul style="list-style-type: none">➤ Stylistic changes to existing rule for the purpose of clarity, brevity, readability, and stylistic conformity with Local Civil Rules.➤ Typographical error amended in subsection (b)(4).➤ Subsection (b)(5) amended to use the term “government” to conform with Local Civil Rules.➤ Subsection (d) amended to cite Federal Rule of Criminal Procedure 45.
LCR 16-1.	DISCOVERY.	<ul style="list-style-type: none">➤ Stylistic changes to existing rule for the purpose of clarity, brevity, and stylistic conformity with Local Civil Rules.➤ Term “meet and confer” used throughout Rule.➤ Subsection (b)(1)(D)(ii) adds a citation to LCR 16-1(b) for clarity.
LCR 17-1.	ISSUANCE OF SUBPOENAS	<ul style="list-style-type: none">➤ Stylistic changes to existing rule for the purpose of clarity, brevity, and readability.

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	REQUESTED BY THE FEDERAL PUBLIC DEFENDER.	
LCR 30-1.	JURY INSTRUCTIONS.	➤ Stylistic changes to existing rule for the purpose of brevity and stylistic conformity with Local Civil Rules.
LCR 32-1.	SENTENCING.	➤ Stylistic changes to existing rule for the purpose of clarity, brevity, readability, and stylistic conformity with Local Civil Rules.
LCR 32-2.	DISCLOSURE OF PRESENTENCE INVESTIGATION REPORTS, SUPERVISION RECORDS OF THE UNITED STATES PROBATION OFFICE, AND TESTIMONY OF THE PROBATION OFFICER.	➤ Stylistic changes to existing rule for the purpose of clarity, brevity, readability, and stylistic conformity with Local Civil Rules.
LCR 35-1.	MOTIONS AND RESPONSES UNDER FED.R.CRIM.P. 35	➤ Stylistic changes to existing rule for the purpose of clarity, brevity, readability, and stylistic conformity with Local Civil Rules. ➤ Title amended to correct typographical error.
LCR 44-2.	DESIGNATION OF RETAINED COUNSEL.	➤ Existing rule amended for the purpose of clarity, brevity, and readability.
LCR 44-3.	CONTINUITY OF REPRESENTATION ON APPEAL.	➤ Existing rule amended for the purpose of clarity, brevity, readability, and stylistic conformity with the Local Civil Rules.
FORMER LCR 45-1	REQUESTS FOR CONTINUANCE, EXTENSION OF TIME OR ORDER SHORTENING TIME.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 6-1.
FORMER LCR 45-3	REQUIRED FORM OF ORDER FOR STIPULATIONS AND EX PARTE MOTIONS.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 6-2.
LCR 46-3.	DEPOSIT OF MONEY OR UNITED STATES OBLIGATION IN LIEU OF SURETY.	➤ Existing rule amended for clarity.

Rule #	TITLE	SUMMARY OF CHANGES NOTES/COMMENTS/REFERENCES
LCR 46-6.	JUDGMENT AGAINST SURETIES.	➤ Existing rule amended for clarity, brevity, and readability.
LCR 46-8.	INVESTMENT OF FUNDS ON DEPOSIT.	➤ Existing rule amended for clarity, brevity, readability, and stylistic conformity with the Local Civil Rules.
LCR 46-9.	EXONERATION OF BONDS.	➤ Existing rule amended for clarity, brevity, readability, and stylistic conformity with the Local Civil Rules.
FORMER LCR 47-2, LCR 47-3.	EX PARTE MOTIONS, EX PARTE COMMUNICATIONS.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 7-2.
FORMER LCR 47-4.	IN CAMERA SUBMISSIONS AND SEALING OF DOCUMENTS.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 10-4 and 10-5.
FORMER LCR 47-5.	FORM OF PAPERS – GENERALLY.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 10-1.
FORMER LCR 47-6.	CAPTION, TITLE OF COURT AND NAME OF CASE.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 10-2.
LCR 47-7.	PAGE LIMIT FOR BRIEFS AND POINTS AND AUTHORITIES; REQUIREMENT FOR INDEX AND TABLE OF AUTHORITIES.	➤ Existing rule amended for stylistic conformity with the Local Civil Rules. ➤ Title amended for brevity.
FORMER LCR 47-8.	CITATIONS OF AUTHORITY.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 7-3.
FORMER LCR 47-10.	EXHIBITS.	➤ Deleted from Local Criminal Rules. ➤ Combined with Local Civil Rules to apply to all cases, and moved to LR IA 10-3.
FORMER LCR 47-12.	SUBMISSIONS OF MOTION TO THE COURT.	➤ Deleted from Local Criminal Rules, as it is obsolete in light of electronic filing.
LCR 49-1.	SERVICE OF DOCUMENTS BY ELECTRONIC MEANS.	➤ New rule regarding procedures for electronic service. ➤ Provides that transmission of Notice of Electronic Filing constitutes service of document filed electronically to each party in the case who registers with the Clerk as an electronic case filing user. ➤ Provides that any parties not registered as electronic filing users must be served filed documents according to the Court's Local Rules, the Federal Rules of Criminal Procedure, and the Federal Rules of Civil Procedure.

Rule #	TITLE	SUMMARY OF CHANGES NOTES/COMMENTS/REFERENCES
LCR 55-1.	FILES AND EXHIBITS – CUSTODY AND WITHDRAWAL.	➤ Existing rule amended for clarity, brevity, and readability.