



STATE OF NEVADA STATUTE OF LIMITATIONS (during COVID-19 pandemic)

Prepared by

Gregory M. Schulman

Aileen Cohen

Thorndal, Armstrong, Delk, Balkenbush & Eisinger

1100 E. Bridger Ave.

Las Vegas, NV 89101

Tel: (702) 366-0622

Email: gschulman@thorndal.com

Email: acohen@thorndal.com

www.thorndal.com

EXTENDED STATUTES OF LIMITATIONS DURING THIS TIME OF COVID-19

As of November 30, 2020, the tolling period in Nevada was extended. The following information explains Nevada's tolling period.

On April 1, 2020, Governor Steve Sisolak signed Declaration of Emergency Directive 009 (Revised) which tolled all statutorily established time requirements, including statute of limitations, during the COVID-19 emergency.

Pursuant to Declaration of Emergency Directive 009 (Revised), "Any specific time limit set by state statute or regulation for the commencement of any legal action is hereby tolled from the date of this Directive [April 1, 2020] until 30 days from the date the state of emergency declared on March 12, 2020 is terminated."

The directive did not specify what types of cases it applies to. Based on the directive language indicating it applies to "Any specific time limit," its application is broad and should apply to any criminal, civil, or administrative time limitations imposed by the Nevada Revised Statutes and all Nevada regulations.

The state of emergency in Nevada is still in effect. Accordingly, the tolling of the statute of limitations has not yet expired. As a practical matter, we are finding most plaintiff firms are still filing complaints in civil cases within the statute of limitations and are disregarding the directive as a precautionary measure.

TEMPORARY RULES EXTENDING TIME LIMITS TO SERVE COMPLAINTS AND/OR SPECIAL RULES RELATING TO METHODS OF SERVICE

Under the Nevada Rules of Civil Procedure, service of a summons and complaint must be made within 120 days of filing of the complaint. There has been no extension of this deadline by either the governor or the courts. However, plaintiffs can file motions to extend service of process prior to the expiration of the time to serve if good cause exists. Properly documented service issues related to the COVID-19 pandemic will be considered good cause for a timely motion to extend service of process.

As far as special rules for methods of service, there have not been changes made relating to methods of service.

This Compendium outline contains a brief overview of certain laws concerning various litigation and legal topics. The compendium provides a simple synopsis of current law and is not intended to explore lengthy analysis of legal issues. This compendium is provided for general information and educational purposes only. It does not solicit, establish, or continue an attorney-client relationship with any attorney or law firm identified as an author, editor, or contributor. The contents should not be construed as legal advice or opinion. While every effort has been made to be accurate, the contents should not be relied upon in any specific factual situation. These materials are not intended to provide legal advice or to cover all laws or regulations that may be applicable to a specific factual situation. If you have matters or questions to be resolved for which legal advice may be indicated, you are encouraged to contact a lawyer authorized to practice law in the state for which you are investigating and/or seeking legal advice.