
Rob Schmidt
Nevada Law Journal

Follow this and additional works at: http://scholars.law.unlv.edu/nvscs
Part of the Civil Procedure Commons, and the Juvenile Law Commons

Recommended Citation
http://scholars.law.unlv.edu/nvscs/936

This Case Summary is brought to you by Scholarly Commons @ UNLV Law, an institutional repository administered by the Wiener-Rogers Law Library at the William S. Boyd School of Law. For more information, please contact david.mcclure@unlv.edu.

STATUTORY INTERPRETATION: DE NOVO HEARING

**Summary**

The Supreme Court of Nevada held that under NRS § 62B.030 the district court has discretion over whether to conduct a hearing de novo after reviewing the recommendations of a master of the juvenile court when timely requested.

**Background**

Appeal from a juvenile court order affirming the recommendation of the juvenile court master to adjudicate the amount of restitution appellant owed.

**Discussion**

The Appellant argued that a district court must conduct a hearing de novo after reviewing the recommendations of a master of the juvenile court when timely requested, but the Court disagreed.

**Standard of Review**

The case raised issues of statutory interpretation, which the Court reviewed de novo and gave effect to the statute's plain meaning.\(^2\)

*NRS § 62B.030 gives the district court discretion whether to grant a hearing de novo*

NRS § 62B.030(4) directs the district court's review of a juvenile court master's recommendation. NRS § 62B.030(4)'s use of the word "shall" means that the district court is required to choose one of the three options: (a) accept the master's recommendation in whole or in part, (b) reject the master's recommendation in whole or in part, or (c) conduct a hearing de novo if one is timely requested. The court complies with the statute if it chooses one of these three options.\(^3\)

**Conclusion**

The district court did not violate NRS § 62B.030(4) by denying the request for a de novo hearing because NRS § 62B.030(4) grants the court the discretion to decide whether to grant such a hearing.

\(^1\) By Robert Schmidt.
