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ARMSTRONG TEASDALE.....IFC	LEGISLATIVE COUNSEL BUREAU.....BC
BANK OF NEVADA.....12	LEVERTY & ASSOCIATES.....19
COGBURN LAW OFFICE.....25	LEWIS AND ROCA.....13
CRESCENT REAL ESTATE.....44	NEEMAN & MILLS.....26
DANIELS-HEAD INSURANCE.....35	SATURNA TRUST COMPANY.....24
FASTCASE.....IBC	TEL ASSISTANT.....21
HUTCHISON & STEFFEN.....41	TOP OF THE WORLD RESTAURANT...39
JAMS.....23	VERTI CONSULTING.....11
LAWYERS CONCERNED FOR LAWYERS.....15	

Message from the President

Cam Ferenbach, State Bar of Nevada President



Advice for New Bar Members

"If you find a willing and competent mentor,
you can receive help with a challenge you
will constantly face throughout your career:
balancing conflicts."

In the keynote speech at October's admissions ceremony, I advised new admittees to find a mentor, pursue a practice that suits their personalities and make time for yourself and your community. As the remarks were fairly well received, this month's president's message is a condensed version.

Find a Mentor

My first piece of advice is **find a mentor**, or two, or three. By mentor, I mean an experienced lawyer whose judgment you respect. This could be someone in your office, someone who practices in your area of law or someone you knew before becoming a lawyer. It should be someone who has a good reputation and enjoys what he or she is doing. If you find a willing and competent mentor, you can receive help with a challenge you will constantly face throughout your career: **balancing conflicts**. I don't mean the types of conflict you studied in the context of compliance with NRPC 1.7, 1.8 and 1.9. Those rules provide guidance for avoiding or reconciling conflicts of interest among current clients and/or former clients. I'm talking about three conflicting duties:

1. Your primary duty is to support the Constitution and government of the United States and of the state of Nevada. (That's what you swore when you took your oath). In my experience, most of the time, judges act in conformity with our constitutions; so, a short hand way of thinking about this, which you hear a lot, is "your duty to the court." You are officers of the court.
2. You owe a duty to your client: zealous representation, within the bounds set by court rules, including the Rules of Professional Conduct.
3. You're entitled to advance your own interests and those of your firm or government agency, consistent with your first two duties.

How will these duties impact you?

Consider this:

At times you will be tempted to move very close to, or to cross an ethical line in order to advance your client's interests. If you cross that line, you breach your duty to the court and, in the long run, you will damage your own reputation and effectiveness in court.

However, if you are not aggressive enough on behalf of your client, out of fear of breaking a rule or offending a judge, your client suffers the consequences.

It takes time to **develop** the **judgment** to reconcile these conflicts in the best manner possible. A mentor can help you develop judgment more efficiently and help you avoid mistakes in judgment – mistakes which could adversely affect you, your client and our system of justice.

Pursue a Practice Area which Suits your Personality

If you follow this piece of advice, the conflicts you experience in your work will be reduced. Life will be more satisfying. After two years at my firm, I took a leave of absence and worked in the Maricopa County Public Defenders Office in Phoenix. I learned first hand the valuable service those public defenders provide, making sure that criminal prosecutions are handled fairly and impartially. Personally, I found it very difficult to relate to my clients. I'll never forget the gentleman who lobbed grapefruits at police cars so that he could spend a few nights in jail. I learned how important it was to me that my clients understand and appreciate the service I provide them. Because of this, the public defender's office was not for me. This is hard advice to follow when jobs are scarce. But I'd advise you to keep the long view and remember why you chose to become a lawyer. When the opportunity arises, make the job choice that is true to you.

Make Time for Yourself and Your Community

Early in your career it's a good idea to spend as much time as you can working as a lawyer; take on all the responsibility you can handle, develop your skills and judgment.

Once you begin to feel comfortable in your role, you can branch out by getting involved in community activities and/or law-related activities. These activities help your practice. You'll find more mentors, enhance your reputation and gain a frame of reference outside of your practice. Also, spend time on your personal well being, including personal relationships, outside interests, vacations and exercise. These activities will improve your creativity and capacity at work, improve your judgment and provide yet another frame of reference for the issues you have to face every day.

Once you find a balance of work, community service and personal life that works for you, you will be well on your way to a satisfying life as a lawyer.

Your reputation as an attorney is your most important asset. It takes years to build an exemplary reputation. One serious error in judgment can ruin it all.

The State Bar of Nevada works hard to prevent these catastrophes. Each time the reputation of a member of our bar is damaged, public confidence in lawyers and our administration of justice is damaged. All the members of the state bar, judges and attorneys, want you to succeed in this profession. You face great challenges and great opportunities. Don't go it alone. ■