

BACK STORY

AND NOW, DESIGNER JUSTICE IN NEVADA

BY RICHARD VILKIN, ESQ.

There's a new civil courtroom in southern Nevada, and – unlike the other courtrooms – the litigants will create the rules.

The courtroom is the brainchild of former Supreme Court Chief Justice William A. Maupin and his partner, former Chief Judge of the Eighth Judicial District Court, Gene T. Porter. The pair has opened a private alternative dispute resolution service known as "[PrivateTrials.com](#)," with its own 21st century courtroom.

"We're trying to take ADR to a different level," says Porter. "We're trying to offer a private alternative to the public judicial system."

In addition to offering traditional arbitration, mediation and mock-trial services, [PrivateTrials.com](#) offers litigants the ability to craft their own jury or bench trial. The participants can shorten the timetable for trial preparation and to start trial, select the number and type of jurors, and design the rules for their trial.

"Maybe the parties want jurors with a certain educational background to decide their trademark case," explains Porter. "We'll get them those jurors."

All trials will be conducted in a full-sized courtroom with some high-tech special features. The courtroom has video monitors in the jury boxes to allow jurors to examine each exhibit as it is discussed, to watch the testimony and to watch witnesses testify via video-conference from remote locations. Of course, the courtroom also has all of the traditional features, including a court clerk, bailiff, and camera and recording systems. The courtroom has two jury boxes, providing space for the different juries that may be deciding different issues in the same case, and to make room for two juries during mock trial processes. The facility also has two jury deliberation rooms, complete with video monitor screens for the review of evidence, and overhead cameras and microphones which allow lawyers and others to watch and hear the deliberations.



Porter and Maupin in their ADR courtroom.

"We think the two main benefits are to allow the parties to have more control over the jury selection process and to control the calendar and, thus, provide cost containment," says Maupin.

The arbitrator could enter an award based on a jury verdict, and the award could be reduced to a judgment under the Nevada Uniform Arbitration Act of 2000 (NRS 38.206 et seq.).

"There are no hard and fast rules here," says Porter. "This is custom-made justice."

RICHARD VILKIN practices as a litigator for his own office, the Law Offices of Richard Vilkin, P.C. in Henderson, Nevada. He practiced in California for 17 years before moving to Nevada in 2002. He is a former journalist with The National Law Journal and Legal Times of Washington. **NL**