



# MESSAGE FROM THE PRESIDENT

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PRESIDENT, STATE BAR OF NEVADA

## ATTORNEY DISCIPLINE: WHERE WE ARE AND MORE IMPORTANTLY, WHERE WE NEED TO BE

The mission of the State Bar of Nevada is to govern the legal profession, to serve our members and to protect the public interest. At the very heart of our mission statement is lawyer discipline.

The purposes and powers of the state bar include in part:

- To uphold the honor, integrity, professionalism and dignity of the profession of law;
- To enhance the professional competence and ethical conduct of members of the bar;
- To administer an attorney disciplinary system; and
- To do all other acts incidental to the foregoing or necessary or expedient for the administration of its affairs and the attainment of its purposes. (NRS 7.275 (2)(c) and SCR.76 (2)).

On July 9, 2014, at the annual meeting, the Board of Governors (BOG) addressed the significant discipline backlog in the Office of Bar Counsel (OBC). As of July 1, 2014, there were 415 total grievances pending, which had been screened and were ready for hearing. Of this total, 383

grievances were more than six months old and involved 114 respondents (attorneys). The BOG found the backlog to be unacceptable. Accordingly, it was moved, seconded and carried to authorize the executive committee of the BOG to approve a plan (including funding) to affect a reduction to zero discipline cases older than six months in the prosecution stage. This reduction in the backlog was to be accomplished no later than July 1, 2015.

### Prosecution Backlog

Although the goal was not achieved, significant progress was made. As of June 30, 2015, 181 total grievances had been screened and were ready for hearing. Of this total, 106 grievances involving 31 respondents (attorneys) were more than six months old. Within one year of the directive given by the BOG, the OBC has either completed or set for hearing 88 percent of the hearing backlog that existed on July 1, 2014. During the past year, the OBC conducted 113 hearings involving 438 files. 96 percent of all files that went to formal hearing were more than six months old. The number of attorney respondents subject to discipline went from 114 in July 2014, to 31 in June 2015.

### Grievances in Prosecution Stage/ Screened and Ready for Hearing

PROSECUTION STAGE	Total Grievances	Grievances Over 6 Mos.	Respondents Over 6 Mos.
July	415	383	114
August	411	332	110
September	421	339	101
October	366	286	103
Nov. + Dec.	268	191	89
January	268	222	75
February	204	182	71
March	217	168	74
April	216	120	65
May	198	121	65
June	181	106	31



## Investigation Stage

In July 2014, there were 377 grievance files in the investigation stage that were older than six months. Over the past year this backlog was reduced by 62 percent (143 files). The total number of grievances, including those less than six months old, in the investigative stage fell 57 percent, from 538 to 233.

It is also significant to note that in March 2015, the Office of Bar Counsel implemented performance standards for processing files, with deadlines for intake, investigation and prosecution. Since the implementation of the performance standards, the number of backlogged grievances in the investigative stage has fallen from 279 to 143, a reduction of 49 percent in a 90-day period.

If the State Bar of Nevada is to uphold the honor, integrity, professionalism and dignity of the profession of law, and to fulfill its mission to govern the legal profession, to serve our members and to protect the public interest, then we must do a better job in the administration of attorney discipline.

While progress has been made in reducing the grievance backlog, we are not yet where we need to be. Additional work must be done. It is, and will remain, a top priority of the BOG to eliminate, in short order, the grievance backlog, while continuing to work with the OBC in an attempt to improve the overall efficiency of attorney discipline.

The time is now and the challenge is ours. **NL**

## Total Grievances in Investigation Stage (phase 2)

INVESTIGATION STAGE	Total Grievances	Grievances Over 6 Mos.
July	538	377
August	535	365
September	492	339
October	480	330
Nov. + Dec.	471	315
January	441	283
February	433	281
March	415	279
April	356	232
May	243	146
June	233	143

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