

MESSAGE FROM THE PRESIDENT

BY BRYAN K. SCOTT, ESQ., PRESIDENT, STATE BAR OF NEVADA

LOOKING FORWARD, LOOKING BACK...

It's hard to believe that December is nearly gone, and we're about to usher in 2017 in a matter of weeks. This month marks my sixth month as your state bar president. The old adage is true—time flies when you're having fun.

Together with meeting so many of you during my state travels and welcoming a new group of lawyers into our profession, the Board of Governors, the state bar staff and I have been diligently working on a number of interesting projects and initiatives, and we are contemplating tackling even more during the year to come. In this column, I thought I'd give you a sampling of what we've been working on. As always, if you have any questions, concerns or issues regarding the state bar, please do not hesitate to contact me (at BryanS@NVBar.org) or one of the other 14 Board of Governor's members.

Annual Meeting:

The 2017 State Bar of Nevada Annual Meeting will take place in Austin, Texas, June 29 - July 1, 2017, at the Westin Hotel in downtown Austin. The planning committee has been working hard on developing new and innovative CLE programming together with fun and interactive activities for attendees and their families.

Discipline:

We continue to work on the bar's discipline backlog and work with the discipline panels, providing them with training on the ABA guidelines for imposing

lawyer discipline. We have eliminated the intake backlog. The Office of Bar Counsel (OBC) currently has 71 grievances pending in intake, the oldest grievance in intake was opened Aug. 2, 2016.

In the past year, we have been able to bring the number of cases under investigation down by nearly half. This is an important step forward in clearing the field. The OBC's 71 grievances pending investigation are down from 133 in August 2016; only seven of those are more than six months old.

We continue to make good progress in reducing our number of cases in the prosecution stage, and at the same time, we're cutting back on the age of the prosecution inventory. The OBC has 58 matters (respondents) on 124 grievances in the prosecution phase. Of those, only 16 are more than six months old.

We will likely end the year having tried approximately 87 cases. At least two factors clearly affect the number of hearings held. First, we are attempting to bring more complaints where the recommended discipline is suspension, rather than letters of reprimand (more cases). Second, this change causes a higher occurrence of motion practice, which is very time consuming (fewer cases).

Local/Specialty Bars:

In August, we began more actively collaborating with leaders of specialty and local bars to promote events, share ideas and foster programs that promote diversity and inclusion. Initiatives include regularly-scheduled quarterly meetings, a newsletter and a master calendar of legal events, and the publication of committee openings in order to attract a more diverse group of volunteers.

Lawyers Concerned for Lawyers/ Nevada Lawyer Assistance Program:

Program representatives conducted more than 20 outreach activities targeting law school students, practicing attorneys and judges. As a result of those efforts, nine attorneys have sought a free, confidential clinical evaluation for substance abuse. Based on reports and data suggesting that greater education aimed at prevention is effective, the Board of Governors filed an Administrative Docket (ADKT) with the Supreme Court seeking to increase the total number of CLE credits required annually from 12 to 13, with one hour a year dedicated to a CLE in the areas of substance abuse, addictive disorders and/or mental health.

The Nevada Bar Foundation (NBF):

The NBF, the non-profit arm of the state bar, granted more than \$2.8 million in IOLTA dollars to legal aid organizations in Nevada, assisting more than 34,000 in-need households. The NBF will also distribute more than \$3 million to legal service providers across Nevada to provide legal assistance in the areas of foreclosure prevention and community redevelopment. The NBF manages those funds received from the Bank of America and the Department of Justice settlement related to the bank's involvement in residential mortgage-backed securities.

Client Security Fund:

The Client Security Fund (CSF) made reimbursements in the amount of \$80,000 to clients who were the victims of attorney theft. This was a significant drop from 2015, when client reimbursements totaled nearly \$340,000. The CSF Committee also actively

pursued restitution to the fund from attorneys reinstated to practice, and it received nearly \$86,000 in 2016.

Transitioning into Practice Program (TIP):

The TIP program graduated 235 new attorneys from its mentorship program in 2016. There are 289 attorneys who serve as TIP mentors; 31 attorneys joined their ranks as Supreme Court-appointed mentors this year.

Law Related Education (LRE):

LRE programs relied on the guidance of more than 500 attorneys, judges and volunteers to support the Mock Trial, We the People and Law Day programs. Nevada advanced two high school teams to the national We the People competition; both placed in the top 25. Nevada's top high school mock trial team placed ninth nationally.

Lawyer Referral and Information Service (LRIS):

The LRIS department made 11,528 referrals to 220 panel members.

Ethics Hotline:

The Office of Bar Counsel continues to assist attorneys by answering questions about the practice of law. By November of this year, the department had handled 2,032 Ethics Hotline calls. Commonly-asked questions appear monthly in *Nevada Lawyer*.

Publications:

The state bar's Publications department produced a new edition of the Nevada Civil Practice Manual in partnership with LexisNexis, working with more than 40 volunteer attorney editors, authors and reviewers. The department also worked with bar sections to publish the Nevada Appellate Practice Manual and Nevada Gaming Law Practice and Procedure Manual.

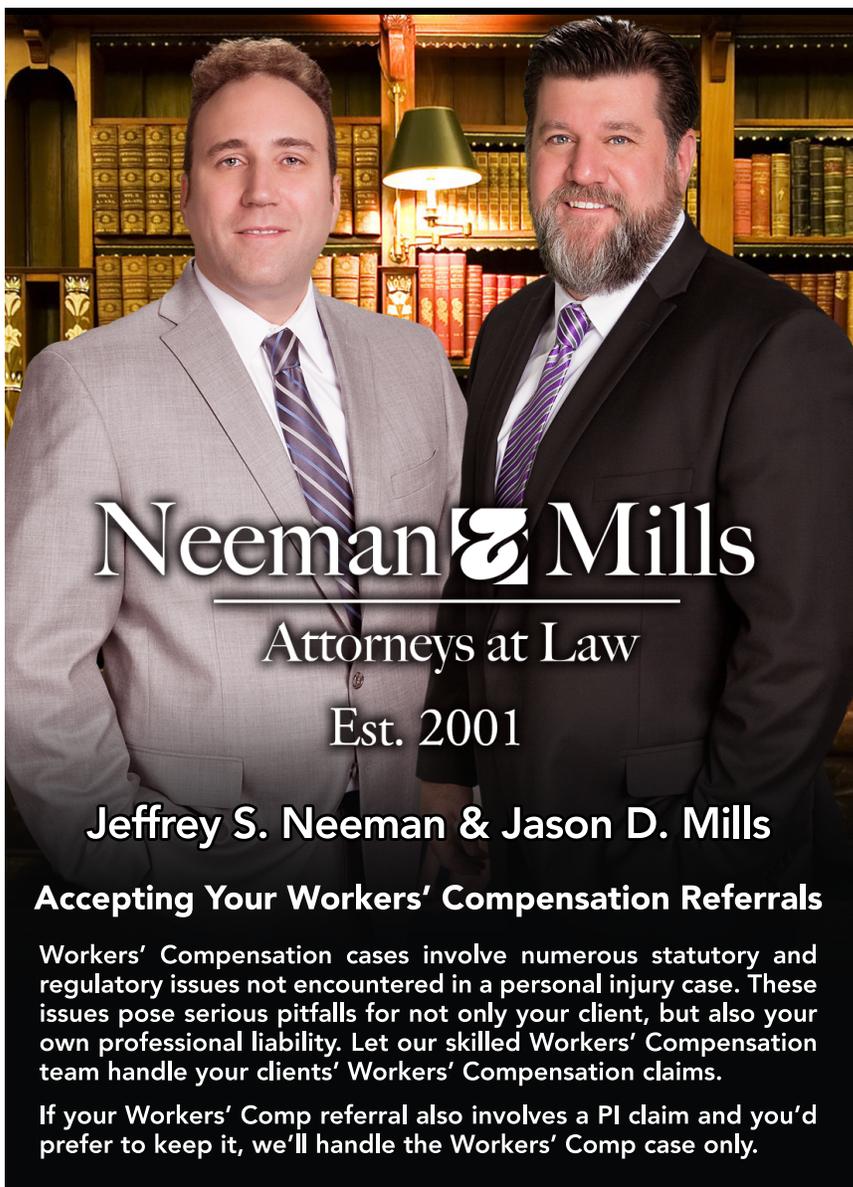
With the assistance of the Publications department, the Family Law, Labor and Employment Law, and Legal Administrator Sections all produced custom digital newsletters featuring recent developments in the law and section activities.

License Renewals:

2016 was the first year the bar utilized reminder postcards for license renewals.

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Doing so resulted in a cost savings of approximately \$20,000. Due to popular demand, the bar again began providing key tags for members. Now, members receive the standard membership card as well as three key tags.

ADKT 516:

The state bar is in the process of modifying the way in which it assesses the costs of disciplinary proceedings to partially re-balance this financial burden on the disciplined attorney. Thus, the Board of Governors filed an ADKT Petition with the Supreme Court seeking to amend SCR 120. The policy requires that Bar Counsel recommend a schedule of fixed costs to the discipline hearing panel. These are in addition to the Rule 120 costs currently assessed to the respondent. The set costs pending approval by the Nevada Supreme Court in ADKT 516 are Reprimand: \$1,500; Suspension: \$2,500; and Disbarment: \$3,000.

ADKT 518 - Publication of Attorney Discipline:

The state bar had filed a petition with the Supreme Court recommending that discipline in the form of a Letter of Reprimand, representing an initial level of discipline for an attorney, be included in SCR121.1 as discipline that must be published by the state bar, consistent with other forms of discipline.

While this is not an exhaustive update, it will give you a good idea of what's to come for the bar and its members in the New Year. I hope you and your family have a happy, healthy and prosperous 2017. Be well. **NL**