Welcome to the Estate Planning issue of Nevada Lawyer! While this month’s collection of articles and analysis will be of immeasurable value to practitioners in the field and provide eye-opening invitations for the rest of us to learn more about the subject, my preliminary remarks head in a slightly different direction. As important as the task of guarding and dispensing one’s material possessions and property rights can be, focus on that aspect of one’s legacy is often at the expense of the far more important parts of what one leaves behind.

“Legacy” is a word highly misunderstood and unfairly maligned in what recently passes for political or intellectual discourse. Outside of the contemporary context of toxic, uninformed debate, the concept plays a larger, more serious role in all of our lives. It is the essence of how, by whom and for what, we will be remembered. Many will no doubt think their own legacies and memories are secured by the loving families they will leave behind, fondly remembered and appreciated by generations of descendants. For far too many others, this option for immortality is not available. Canadian philosopher Jordan P. Peterson, in his quirky and challenging 12 Rules for Life: An Antidote to Chaos, observed that only roughly half of the men who have ever lived have fathered children. While a large portion of the men who missed the opportunity for biological continuity in the human gene pool are absent as a result of mankind’s propensity for periodic war or conflict, the magnitude of this exclusion is still staggering. Those who realize that biological participation in the stream of civilizational and human development is not guaranteed will have to direct their efforts to other means of carving a legacy for the ages.

The desire to be remembered by generations yet unborn is not just a quasi-biological urge or a selfish indulgence. It is one of the four components of classical happiness, as defined by the Ancient Greeks. Along with the admonitions to know yourself, control your appetites and take what is yours, a seeker of classical happiness was advised to “remember death.” This was not a reminder that one should buy those jet skis now because, after all, life is short and there is limited time to pile up goodies and pleasures. It was instead, a sober reminder that our opportunity to fashion a memorable legacy is more limited than we contemplate.

Our profession is custom-designed for generating the opportunities to leave a lasting mark on our communities and our craft. Laws, court decisions and jurisprudence, by their very nature, have multi-generational impact, preserved and respected by our common law tradition of stare decisis. But the legal profession allows us to make a far more personal and meaningful impact beyond filling up law libraries and Westlaw databases.

Our personal legacies can be manifested in identification with higher, more enduring causes or quests. The late Charles Kellar, one of the State Bar of Nevada’s earliest African-American members, built his legacy in southern Nevada’s civil rights movement in the 1960s and early 1970s. An accomplished New York attorney before his arrival in Nevada, he was, by all accounts, treated shabbily and with suspicion in his early years in our community, but he channeled his efforts towards fighting for the rights of his fellow citizens, and now one cannot discuss Nevada’s civil rights history without mentioning Charles Kellar. It will always be so.

Meaningful legacies in the law are not necessarily built by amassing great fortunes. Not everyone will financially succeed to the level of donating enough money to found a law school or an institute. (But for those of you who can, thank you, Bill Boyd!) The significance of inspirational example and the wise exercise of influence should never be underestimated. Judges on all levels—state, municipal and federal—have left behind a legacy of inclusion and socioeconomic mobility that is enduring and remarkable in its efficiency. Today’s law clerks, chosen to increase their exposure to opportunities to excel and advance, and assisted in their career planning by their judicial mentors, become the new farm team to compete for the highest levels of leadership in the legal profession. Aside from ruling on cases, choosing and mentoring law clerks...
is the most important task our judges perform—and the legacy of good it produces lasts generations. Others in our calling leave behind a legacy of inspiration by example. My favorites are attorneys who drift in and out of private practice and public service, discounting their material ambitions and motivating young lawyers to remark, “I want to be like her.” The legendary George Dickerson is a case in point, my own object of sentimental awe. District Attorney, Gaming Commissioner and lion of the family law bar: his career spanned decades of intense legal combat, after which no one, absolutely no one had a bad thing to say about him. Talk about achieving the impossible dream!

Whatever the legacy you choose, keep in mind that it will always be subject to interpretation and the test of time. Build it to last. In the late 1970s, Cravath Swain & Moore was the most powerful and coveted law firm on the planet. A few UVA Law School classmates and I were once sitting around picking at the remains of 75-cent cheese omelets and glumly comparing rejection letters from the Cravath firm. One of my colleagues joked, “Cravath! Didn’t that guy invent the necktie?” We all laughed, but Mr. Cravath’s legacy was undiminished. He had been dead for decades, but four young law students were still talking about him. NL

The state bar offers a free Succession Planning handbook for members. Download Succession Planning in Nevada at no charge at www.nvbar.org > Publications > State Bar Publications.

WE KNOW HOW TO MAKE AN IMPACT

THEY MAKE THE IMPACT POSSIBLE

PARTICIPATING FINANCIAL INSTITUTIONS

- American First National Bank
- Bank of America
- Bank of George
- Bank of Nevada
- Bank of the West
- BMO Harris Bank
- Citibank
- City National Bank
- East West Bank
- Financial Horizons Credit Union
- First Foundation Bank
- First Independent Bank of Nevada
- First Savings Bank
- First Security Bank of Nevada
- Heritage Bank
- JPMorgan Chase & Co.
- Kirkwood Bank of Nevada
- Meadows Bank
- Mutual of Omaha
- Nevada Bank & Trust
- Nevada State Bank
- Northern Trust Bank
- Pacific Premiere Bank
- Plumas Bank
- Royal Business Bank
- Silver State Schools Credit Union
- Town and Country Bank
- Umpqua Bank
- US Bank
- Valley Bank of Nevada (BNLV)
- Washington Federal
- Wells Fargo

EVERY DOLLAR generated from IOLTA is donated by Nevada’s participating financial institutions to the Nevada Bar Foundation.

$2.5 MILLION in IOLTA dollars is granted to qualified legal aid providers. Annually, that money provides

ACCESS TO JUSTICE

for 37,000 NEVADA HOUSEHOLDS and for 38,000 LEGAL MATTERS including:

- 9,500 DOMESTIC VIOLENCE cases
- 8,400 FAMILY LAW cases
- 6,400 HOUSING cases
- 1,400 CHILD ABUSE cases

LEARN MORE about the work of the Nevada Bar Foundation and how you can give at: www.nevadabarfoundation.org