

# THE RULE OF LAW

BY PATRICIA D. CAFFERATA, ESQ.



Nevada Bar President Gene Leverty asked the Nevada Lawyer Editorial Board to

feature a discussion on the rule of law in each of the 12 2018 issues. The board voted to add a column on this topic this year.

I asked the justices of the Nevada Supreme Court and the judges of the Nevada Appellate Court to comment on the following regarding the rule of law:

1. The meaning of the “rule of law.”
2. Was the Magna Carta the beginning of the rule, or did the rule originate with another document or source?
3. What about the U.S. Constitution and amendments?
4. What case best describes the rule of law?
5. What is the most important thing a lawyer should be aware of regarding the rule of law?
6. How does the rule of law influence a judge’s decision or the decision making process?
7. Other comments on the rule of law?

I expect the answers to these questions to be the basis for the columns featured in our upcoming issues.

This first column begins with Justice Mark Gibbons, who weighed in on the meaning of the rule of law. His thoughts are that “while the rule of law has countless meanings and interpretations, at its core [it] is the ideal that, regardless of race, gender, sexual orientation, income, education level, social status or other such consideration, all persons are equal before the law. This also means that all persons are accountable to laws that are publicly known and equally enforced.”

Leverty answered the first question this way: “The rule of law is essential to an effective society influencing business, health and freedoms. The rule of law is a kaleidoscope of visions commingling to make a society function under our constitution. We need to celebrate how our rule of law makes [the] United States the great country it is and can continue to be.”

The board is seeking comments from members of the State Bar of Nevada. This is your opportunity to have your thoughts appear in *Nevada Lawyer*. Bar members are encouraged to submit their answers, in 400 words or fewer, to any or all of the questions above. The best submissions will be published throughout the year. Please send your comments to me, the column editor, at [pdcafferata1@sbcglobal.net](mailto:pdcafferata1@sbcglobal.net).

I hope you will find this feature column an interesting addition to our line-up, and that you will join in the discussion by submitting your own comments on the topic. **NL**



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**Look for upcoming communications from the state bar about demographics statistics. You will also see new survey questions on your license fee renewal statement for 2018.**

**This information is critical for the development of new programs and services.**

**PATTY CAFFERATA**, a past chair of the *Nevada Lawyer* Editorial Board, works for Attorney General Adam Laxalt as Special Assistant Attorney General for Law Enforcement, Counties and Municipalities. Cafferata is a former state treasurer (1983-1987) and served as district attorney of Lincoln, Lander and Esmeralda counties.