



MESSAGE FROM THE PRESIDENT

BY VERNON "GENE" LEVERTY, ESQ., PRESIDENT, STATE BAR OF NEVADA

READY, SET, GO!

"Ready, set, go" is an apt description of the preparation for becoming president of the State Bar of Nevada, and I am very ready to go!

I am very honored to have been elected as the president of the State Bar of Nevada for the 2017-2018 term. Following Bryan Scott as president sets a high standard, as he did an outstanding job. Bryan will still contribute his many talents to the state bar, as he continues to guide me and the Board of Governors as the past president and heads a task force on diversity.

I am the 89th president of the State Bar of Nevada, and I have had the privilege working with the last six presidents: Connie Akridge, Frank Flaherty, Alan Lefebvre, Elana Graham, Larry Digesti and Bryan Scott. One does not become president without learning every aspect of the bar, including budgets, investments and rules of the sections and committees.

Each president sets goals and objectives for their presidential term. My friend and fellow board member, Ann Morgan, is a stickler for goals, and she has prodded me since I was elected vice president to identify my presidential goals. I

have several objectives, but my central goal is to highlight the importance of the Rule of Law to our society, and the role lawyers play supporting it. It is my observation that many today do not appreciate the important role lawyers have played since our country was founded. I want to highlight attorneys' accomplishments, ranging from those who played important roles in the past to those currently doing legal work that makes our society better. For some recent examples of exemplary contributors to the legal profession, look in the June issue of *Nevada Lawyer*, where we announced all the winners of the 2017 State Bar of Nevada awards; we just honored these award recipients at the Annual Meeting earlier this month. I have already determined that the 2018 Annual Meeting's theme will be the Rule of Law; it will be held in Chicago July 12-14, 2018.

Besides that central goal, one of my other key objectives is to evaluate whether it should be mandatory for lawyers to maintain malpractice insurance, or whether it should be mandatory for a lawyer to disclose their malpractice insurance status. I also want to continue emphasizing the state bar's disciplinary work, so we keep improving the bar's primary purpose: to protect the public.

When an attorney can steal millions of dollars, we need to place a stronger emphasis on investigating potential problems earlier, to minimize potential harm. Our goal is to prevent attorney theft by studying ways to prevent theft, including considering implementation of spot audits of trust accounts—something the insurance industry has had in place for decades. There

is a cost to conducting spot audits of lawyer trust accounts, but if the public is protected, then the cost may be worth it.

In addition, I seek to review possible ways of reducing the state bar's operating costs. Finally, I want to bring attention to the pressing issues facing the legal profession, such as the bar exam, reciprocity and reviewing how such changes may affect Nevada lawyers.

I was first asked to serve the State Bar of Nevada by Thomas Foley, and did so in the capacity of chairman to what was then the bar's insurance committee. In the mid-'80s I shifted to a special task force addressing a liability crises, during which Nevada attorneys were either affected by sharp premium rises or could not obtain errors and omissions (E&O) insurance. The task force determined the state bar's membership was too small to adopt measures similar to the Oregon bar's mandatory fund or to establish its own insurance company. Eventually, the solution was to join with other state's bar associations in sponsoring ALPS, a newly formed insurer. ALPS is the endorsed E&O insurer of the State Bar of Nevada. Today we have substantially more attorneys, coupled with recent hardships resulting from attorneys not having E&O insurance, added to pleas for the bar to consider mandatory insurance. A task force is now reviewing the pros and cons of mandatory insurance and the inherent related concerns, including how to be certain that all attorneys will be able to obtain insurance at a reasonable premium. Considering mandatory E&O insurance requires the related consideration along with a revisiting of past options, such as whether or not the bar can—or should—adopt the Oregon fund, form its own

insurance company or work with present E&O insurers.

In the 1980s, recently-elected Board of Governors member Jan Chubb asked me to be the chairman of the Lawyer Referral Service Committee. Afterwards, I was appointed to the newly-formed Client Security Fund committee. The Client Security Fund is an important program that protects the public by assisting clients damaged by the few attorneys who commit theft or fail to provide the legal services for which they were paid. Claimants often come to the Client Security Fund committee meetings to present their cases with witnesses and documents.

Everyone serving on the Board of Governors has worked on a bar committee prior to being elected to the board. I serve on the Board of Governors with individuals I met while working for bar committees, such as Kari Stephens, who served with me on the Client Security Fund.

Since I was elected to the Board of Governors six years ago, I've represented Washoe County alongside other Washoe County lawyers, including Larry Digesti, Ann Morgan, Paul Matteoni, Doug Clark and Jim Bradshaw. In addition, I have had the pleasure of working with outstanding Board of Governors from Carson City, Elko and Las Vegas.

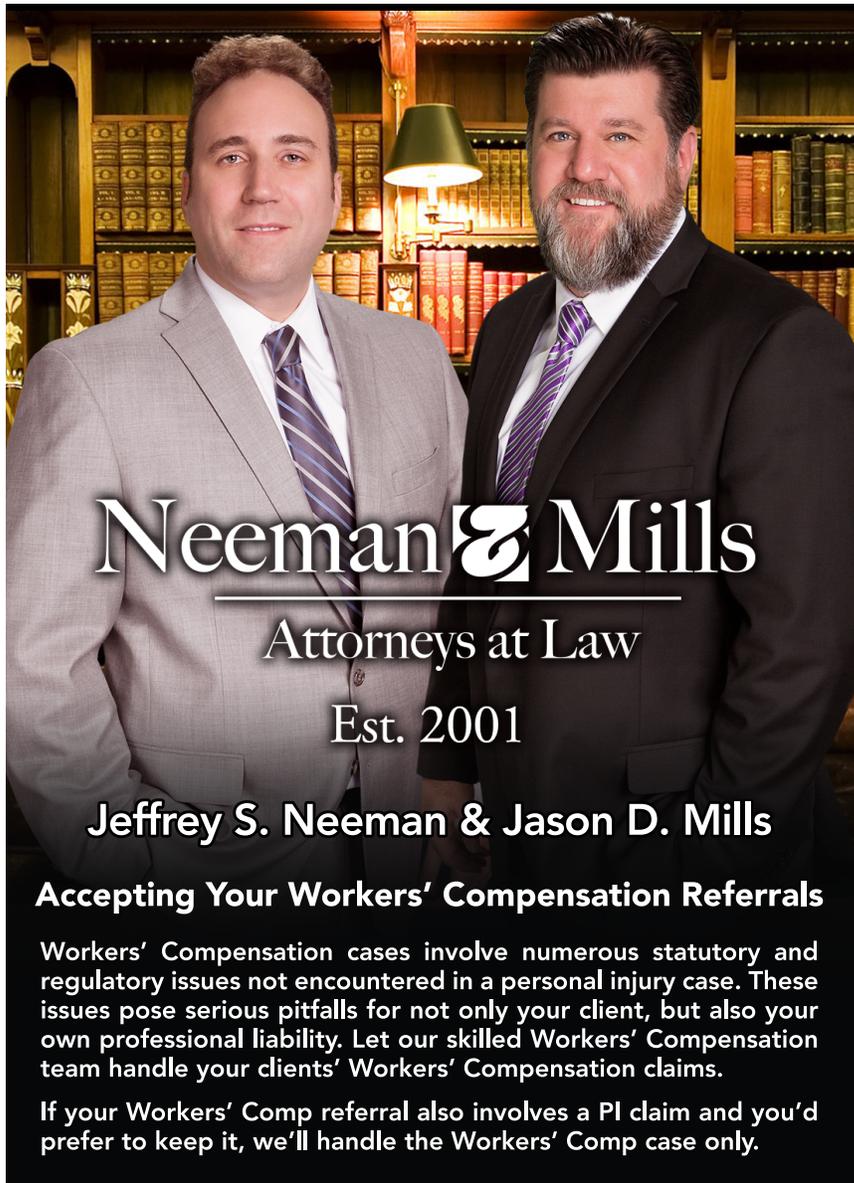
I look forward to using my columns in *Nevada Lawyer* to highlight their hard work, bettering the legal profession and protecting the public. Although we have lively debates on issues, we always appreciate each other's views, and we come together for a better resolution through shared ideas.

We welcome your questions, suggestions or complaints concerning the State Bar of Nevada and look forward to meeting many of you in person at various events throughout the year.

I am very lucky to work with the bar's capable Executive Director, Kimberly Farmer, who has assembled an outstanding bar staff. They all work diligently on behalf of the bar. The staff, including Deputy Executive Director Lisa Dreitzer, Administration Manager Gale Skala, Finance Director Marc Mersol, Bar Admissions Director Brian Kunzi, Publications Manager Jennifer Smith, Membership Director Mary Jorgenson and Bar Counsel Stan Hunterton do their fine work behind the scenes, but they deserve a big thank you for making the State Bar of Nevada an excellent organization we can all be proud of.

I look forward to the coming year and I am ready to go. **NL**

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