



# MESSAGE FROM THE PRESIDENT

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

## DOS AND DON'TS FOR LAWYERS: MY PERSPECTIVE

The latest Nevada bar examination concluded on February 23, 2017. Traditionally, the February bar exam has significantly fewer takers than the July exam. Two hundred nineteen people sat for the most recent exam. Many of the February exam-takers are repeat takers or attorneys from other jurisdictions who are taking the exam for the first time. The exam results will be out in May.

Traditionally, the state bar president and other dignitaries deliver congratulatory and encouraging messages to those who pass the exam prior to their taking of the Attorney Oath. There isn't an official swearing-in ceremony for February bar exam passers in Las Vegas. Though it's early, I thought I'd provide you with the speech I've delivered on more than a few occasions to new attorneys. It's been well-received as it offers some helpful basic practice tips to those about to take the Attorney Oath and reminders to more seasoned lawyers. I hope you'll take it to heart.

"More than 25 years ago, on October 11, 1991, I took the oath you are about to take. I was 24 years old, had a lot more hair back then and was full of excitement

and nervousness as I embarked on my new career as a lawyer. I still look forward to what the future has in store for me.

Working in the law can be a tremendously rewarding career. Today, I wanted to give you a few of my "Dos and Don'ts" of practicing law.

While this list is by no means exhaustive; it's but a sampling of some helpful tips I'd like to share with you:

### *Don't...*

1. ...Think that law school was the end of your legal education. It's called the "practice of law" for a reason. Even though I've been practicing law for 25 years, I still learn something new every day.
2. ...Be afraid to ask for help when you need it. The State Bar of Nevada has a number of resources to help you, including:
  - Transitioning Into Practice (TIP) program
  - Ethics Hotline
  - Lawyer Referral Service
  - Fastcase
  - Nevada Lawyers Assistance Program
  - Lawyers Concerned for Lawyers
3. ...Treat your trust account as your own personal piggy bank. There are rules regarding its use. Learn them and don't vary from them.
4. ...Be tempted by a well-paying client who approaches you to do something that is "not quite legal." Resist the urge. Your reputation takes a lifetime to build, but only moments to destroy.

- Jail isn't a pretty place. You've worked too hard to get to this point.
5. ...Let your ego get in the way of looking out for what's in your client's best interest. Your clients' interests come first.
  6. ...Misrepresent anything to the court. It will come back to haunt you.
  7. ...Take a case just for the money—remember that there are also people involved. Part of being a lawyer involves counseling your clients or potential clients. Sometimes you have to tell clients "no" or tell potential clients that they don't have a legal claim to pursue.
  8. ...Give your clients unjustified expectations regarding your abilities and/or the outcome of their case—they will always hold you to that expectation and sometimes, you might not be able to deliver it.
  9. ...Unnecessarily drag out a case because it suits your interests.
  10. ...Ignore correspondence from the State Bar of Nevada—they are *always* important.

And now here are some dos that will keep your reputation and career intact...

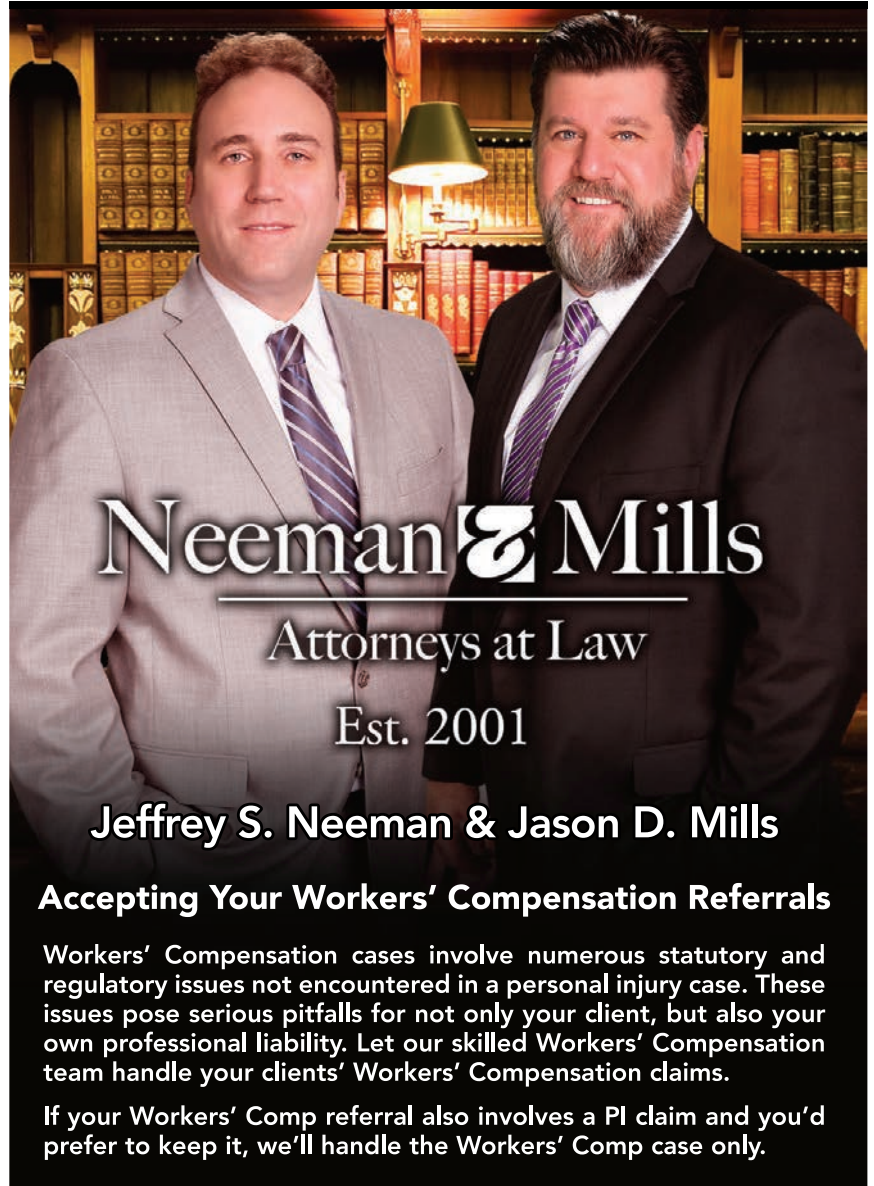
### *Do...*

1. ...Always zealously represent your client, while remaining civil to those involved in the case.
2. ...Always be candid with your clients and the courts.
3. ...Always be prepared—preparation is the key to success.

4. ...Fulfill all of your Continuing Legal Education requirements. Regardless of how long someone practices law, we all need to keep current on our skills and knowledge.
5. ...Take advantage of the guidance offered by your TIP mentor or a mentor in the legal community whom you respect. The law can be a complex maze at times.
6. ...Maintain a good work/life balance. Being a lawyer is a stressful career. Take vacations, spend time with your family and friends. At the end, no one ever says that they wished they'd stayed in their offices longer. Take time out for you!
7. ...Communicate, communicate, communicate—with your clients, opposing counsel and the courts. A simple phone call, letter or e-mail can make a world of difference and can save you countless hours of argument and confusion.
8. ...Seek justice. Please take pro bono cases and defend the oppressed, the underrepresented and those less fortunate. There are a lot of people in our community who need your help, but cannot afford you. Non-profit legal service provider groups have hundreds of cases and clients in desperate need of your assistance and counsel.
9. ...Give back. Community service, at least for me, was essential when I first started practicing and remains so today. It's rewarding to help others and gives you a feeling that no amount of money can ever buy.
10. ...Be proud of being a lawyer. We've all heard the lawyer jokes and some, unfortunately, have a ring of truthfulness to them. The law is a noble profession and one of which you should be proud to be a member.

I know you will all do great things. If you need us, the state bar is here for you. I wish you all the best of luck!" **NL**

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