



MESSAGE FROM THE PRESIDENT

BY LAURENCE DIGESTI, ESQ., PRESIDENT, STATE BAR OF NEVADA

TURNING THINGS AROUND: DECISIVELY DEALING WITH THE DISCIPLINE BACKLOG

Bear with me for a moment as I share an analogy from Stan Hunterton, bar counsel for the State Bar of Nevada; I think it is appropriate when describing the progress we've made with the backlog of attorney discipline cases over the past year.

Stan told me the backlog is reminiscent of an aircraft carrier. From the time the captain says turn left, it takes an aircraft carrier five to 10 miles to start to turn. Although we started to turn our "aircraft carrier" several months ago, it is an aircraft carrier and it will take time to complete the turn.

So, how does this aircraft carrier pertain to the backlog of attorney discipline cases? We are going to work through them, but it will take a lot of time and work. The good news is that the backlog of cases has been going down a great deal. It was a significant backlog to deal with, and it's one of those things that we were not going to be able to eliminate overnight.

The thing to remember is that as these older cases are moving along and being resolved, new cases keep being filed. This is not a situation where we are simply addressing older cases. We have to maintain and keep up with the new ones being filed. We are on an endless treadmill, but everyone should be pleased with how we've responded to attorney discipline cases over the past year. We've seen total grievances drop from a high of 421 in September 2014 to 92 in December 2015. The number of grievances more than six months old has fallen from a high of 383 in July 2014 to 92 in December 2015. Those dropped to a low of 70 in September 2015.

While I cannot point to any one particular reason as to why the backlog has been reduced, once the Board of Governors became aware of the issue during the 2014 Annual Meeting, board members became very

concerned about the issue. The board started implementing formalized rules and procedures that were not in place before.

Then, the board placed a directive and gave its expectations to the Office of Bar Counsel, and the staff worked very hard to get to where we are today. The OBC was reorganized to facilitate handling cases more efficiently. The OBC also has a new case management software program that helps it get better data, processes that data steadily, and helps with tracking cases.

The investigative stage was also taking too long. As you know, you cannot prosecute a case until an investigation is complete. As a result of cases languishing in the investigative stage, prosecution was delayed, which directly led to the significant backlog. In order to expedite investigations, we added more paralegals and investigators, including signing a contract with a retired IRS agent. The Board of Governors also gave approval to hire another assistant bar counsel.

As a result, cases in the investigative stage have dropped from 538 in July 2014 to 243 in December 2015.

Reducing the backlog of attorney discipline cases was one of my priorities when I took over as president of the State Bar of Nevada, and I'm happy to see the backlog is steadily decreasing and that we are doing a better job of handling these complaints in a timely manner.

I appreciate the Board of Governors recognizing the problem and issues caused by the backlog of attorney discipline cases and implementing new priorities to reduce the problem. The State Bar of Nevada and the Office of Bar Counsel have also worked diligently to make the process more efficient and more responsive to the public's interest.

However, we must continue to remain vigilant about attorney discipline, as policing our own is one of the most important functions that we have as a state bar. **NL**

Grievances in Prosecution Stage/Screened and Ready for Hearing

Prosecution Stage	Total Grievances	Grievances Over 6 Months	Respondents Over 6 Months
July 2014	415	383	114
August 2014	411	332	110
September 2014	421	339	101
October 2014	366	286	103
Nov. and Dec. 2014	268	191	89
January 2015	268	222	75
February 2015	204	182	71
March 2015	217	168	74
April 2015	216	120	65
May 2015	198	121	65
June 2015	181	108	31
July 2015	249	143	47
August 2015	162	106	34
September 2015	124	70	38
October 2015	147	94	45
November 2015	96	96	28
December 2015	92	92	27

Total Grievances in Investigation Stage (Phase 2)

Prosecution Stage	Total Grievances	Grievances Over 6 Months
July 2014	538	377
August 2014	535	365
September 2014	492	339
October 2014	480	330
Nov. and Dec. 2014	471	315
January 2015	441	283
February 2015	433	281
March 2015	415	279
April 2015	356	232
May 2015	243	146
June 2015	233	143
July 2015	261	152
August 2015	246	109
September 2015	218	80
October 2015	240	87
November 2015	224	105
December 2015	243	89

Discipline



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