



MESSAGE FROM THE PRESIDENT

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A VIEW FROM THE RURAL BENCH

In late September, I had the honor of visiting with members of the bench and bar in several of Nevada's rural judicial districts during a working road trip with stops in Fallon (Districts 10 and 3), Winnemucca (District 6), and Elko (District 4). While there, your bar's leadership took this important opportunity to speak with them and, most importantly to listen and learn about the challenges they face practicing law in these judicial districts.

The common theme was that the practice of law in the rurals is both challenging and different. The judges in these districts do everything, from performing administrative duties to hearing all types of cases including, but not necessarily limited to, criminal cases, civil disputes, family law matters, juvenile matters and specialty courts. Simply stated, they do it all. Similarly, attorneys in the rurals find the same challenges in their own practices – and unfortunately, many of the young lawyers in the rural districts don't stay and ultimately move on to advance their professional careers. These real-life experiences, as related by our members, brings a very different – and valuable – perspective to the challenges facing the State Bar of Nevada as a whole. Many of the same challenges facing our larger counties exist in our rural areas as well, but perhaps with a different expression.

While visiting, we took the opportunity to remind the judges and attorneys about the bar's current efforts, including the push to improve the attorney discipline process. We emphasized that attorney discipline complaints are taken seriously, handled attentively and that the bar is making a concerted effort to correct and improve the lines of communication related to disciplinary complaints.

In addition, we reminded the rural members that the state bar has numerous services in place to support them, such as Lawyers Concerned for Lawyers (LCL) and Nevada Lawyer Assistance Program (NLAP), both of which provide assistance to attorneys who may suffer from some type of impairment such as abuse, addiction and/or mental health issues. These programs are in place to provide assistance to attorneys struggling with these issues before the situation becomes



Courthouse in Lovelock, Nevada. Photo courtesy of Bryan Scott

so serious that it triggers a disciplinary complaint – making them a very important resource for the protection of both our membership and the public. We're continuing to spread the word about the availability of these programs to our members throughout the state; you can learn more about them at www.nvbar.org/NLAP and www.nvbar.org/LCL.

While informing judges and attorneys about the Short Trial Volunteer Program available in the Second, Eighth and Ninth judicial districts, we were very pleased to hear that although

many of our rural districts do not currently have formal short trial programs, some of them are offering short trial programs of their own. Programs such as these allow young attorneys in their areas the valuable opportunity to gain civil trial experience, and we're excited to hear this idea is spreading into the rural districts.

We also took the opportunity to speak with bar members about emerging trends we see in the national legal landscape, such as the unauthorized practice of law (UPL) in light of the recent United States Supreme Court decision in *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, decided February 25, 2015. The State Bar of Nevada has recently formed a task force to discuss the impact of this decision on the UPL and the state bar. More comment and discussion will follow in future columns.

A sincere and heartfelt thank you to all the rural judges and attorneys who took the time to meet with us in September. Your comments, observations and concerns are important because the rurals are a vital and important part of the judicial system in the state of Nevada. **NL**