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VIEWS FROM THE BENCH

Similar to many attorneys, Judge Leon Aberasturi’s interest in the law was sparked at an early age. As an eighth-grade student, Judge Aberasturi became interested in government and the law. His American history teacher spent a significant amount of time reviewing in depth the American Revolution and how the Founders influenced and shaped the government through the Constitution. This in-depth instruction spurred the judge’s initial interest in American government, the law, and becoming active in school government organizations. These experiences naturally led to a desire to seek a legal education.

Following the completion of his schooling at the University of Idaho, College of Law, Judge Aberasturi began his legal career as a deputy district attorney at the Lyon County District Attorney’s office. Subsequently, he was elected as the District Attorney of Lyon County in 2001. He served in that position until he was elected as the District Court Judge, Department II in Lyon County in 2007.

Having served as a District Court Judge for a significant amount of time, Judge Aberasturi has had the opportunity to observe experienced attorneys as well as newly admitted attorneys. I was able to meet with Judge Aberasturi and obtain his insights and observations into the challenges and opportunities that many newly admitted attorneys face.

Q. Are there common mistakes that new attorneys make in the courtroom while handling a family law matter?

A. Too often in family law matters, young attorneys too easily concede to their client’s desires to use the legal proceedings as some type of therapy to prove that the other party is the rotten spouse.

Q. What typical mistakes do new attorneys make in pleadings?

A. Some attorneys will throw everything but the kitchen sink into a civil complaint. This leads to discovery problems and more motion work. I have had several cases in which such an approach led to sanctions because the attorney refused to accept early on that a cause of action had no basis in Nevada law or fact. The attorney forced the opponent to file a motion rather than to agree to amend the complaint. In criminal matters, newer attorneys do not seem to grasp the use of motions to get a better understanding of the evidence and to tie down the testimony.

Q. Are there certain legal writing or courtroom behaviors that are irritating?

A. Both parties should want to draft the order. A district court judge does not defend or attack the signed order before the Supreme Court. Pay attention to the findings of fact when drafting the order as the Supreme Court tends to affirm orders with well-drafted findings of fact, especially in family law cases.

Q. Are there certain difficulties with pro se representation in the court that you have experienced?

A. Both parties should want to draft the order. A district court judge does not defend or attack the signed order before the Supreme Court. Pay attention to the findings of fact when drafting the order as the Supreme Court tends to affirm orders with well-drafted findings of fact, especially in family law cases.

(Continued on page 4)
Ella Trujillo is an attorney with Nevada Legal Services, Inc., in Elko, Nevada. Ella provides pro bono services to those in need.

**Background Questions**

**Name (nickname?):** Ella B. Trujillo – no nickname

**Employer/job title:** Nevada Legal Services, Inc.

**Education:** Gonzaga University School of Law, Spokane, Washington

**Years as a lawyer / in Nevada:** Two years as a lawyer, lived most of my life in Nevada

Who or what inspired you to become a lawyer? What made you decide to go into the field of law you practice in?

I initially made the decision to go to law school because I wanted to continue learning. Until about mid-way through my second year, I had no intention of practicing law upon graduating. It was during the first year and a half that I discovered something interesting about the legal profession; 95 percent of my fellow classmates were focused on one goal during their formative years as law students: money. I was raised in a very generous household where I was taught that if I had the ability to help another then I was to do it. No questions asked. Most of the people I went to law school with did not feel this way. I suddenly realized that I was going to leave law school with the skills to help people in a unique way. From that point on my focus in law school became gaining the knowledge and experience I would need to help those who cannot afford to pay the fees my fellow law school students would charge.

Nevada Legal Services, Inc. (NLS) welcomed me into their firm during my last semester of law school as an extern and within a year and a half I was back looking for a job. Why? Because working for NLS lets me go home every night with the knowledge that I helped someone that day and that makes my job the best one in the world. It isn’t always easy, and the work is hard, but I love it. Even better I get to do it in Nevada, which has always been my home. I don’t know where most of my classmates are today, but I would like to tell them thank you for changing my life. For all those out there that have never provided legal services without any expectation of remuneration, I challenge you to just try it just once. You won’t regret it.

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**CONGRATULATIONS, NEW YOUNG LAWYERS!**

The Young Lawyers Section of the State Bar of Nevada would like to congratulate the newest members to the Nevada State Bar! We welcome you to the profession and to the Section. For more information on how to get involved, please contact one your representatives.

- Sean L. Africk
- Kimberly M. Agee
- Jason M. Aivaz
- Bryan D. Ali
- Emily Allen-Wiles
- Justin D. Allsop
- Elizabeth J. Anderlik
- Robert E. Anderlik
- Zachary W. Anderson
- Harmish Araich
- John W. Aylor
- Priscilla L. Baker
- Joseph T. Barrett
- Wade E. Beavers
- Bradley J. Bellisario
- Peter Benenati
- Brian L. Blount
- Joshua D. Brinen
- Benjamin E. Bruyneel
- John K. Bulloch
- Kaitlyn M. Burke
- Cameron J. Busby
- Kathryn L. Butler
- Andrea M. Champion
- Sheena L. Christmas-Foster
- Shannon L. Clarke
- Zachary D. Clayton
- Jaclyn R. Cole
- Zachary B. Conine
- Alissa A. Cooley
- Thera A. Cooper
- Genevieve C. Craggs
- Jonathan R. Davis
- Lauren A. Davis
- Eric S. Day
- Matthew R. Day
- Lindsay N. Demery
- Rafael DeOliveira
- Mariano
- Michael R. Dickerson
- Diana G. Dickinson
- Michael A. DiGiacomo
- Gregory G. Diktakis
- Michael R. Dufour
- Sarah J. Dunlap
- Michael R. Esposito
- Kylie D. Foster
- Jacquelyn M. Franco
- Blake S. Friedman
- Jessica M. Friedman
- Kelli R. Gallimore
- Spencer W. Garlick
- Tyler C. Gaston
- Kyle E. George
- Sara Glover
- Daniel S. Gobaud
- Michael S. Gobaud
- Katie E. Goldberg
- Ryan T. Gormley
- Steven B. Gregorio
- Erin N. Grieve
- Rebecca J. Haines
- Alex A. Hames
- Peter P. Handy
- Saira Haseebullah
- Keenan L. Hawkins
- Ivy P. Hensel
- Candace C. Herling
- Christopher T. Howell
- Christopher J. Humphrey
- Joshua O. Igeleke
- Tamara V. Ioudina
- Lawrence E. Ita
- Rhiann S. Jarvis
- Blake B. Johnson
- Tess E. Johnson
- Alaina Judge
- Tiffany A. Kahler
- Adrian A. Karimi
- Kenton C. Karrasch
- Franklin J. Katschke
- Patrick M. Kealy
- Courtney J. Ketter
- Kristy Kiser-Clark
- Kristina R. Kleist
- Cody D. Knight
- Sandra L. Kuenzi
- Charles J. Lee
- Jonathan B. Lee
- Pandora L. Leven
- Kayleigh E. Lindemuth
- Brittany M. Llewellyn
- Elizabeth Z. Lopez

This list was taken from the unofficial pass list for the July 2014 Nevada Bar Exam, published by the State Bar of Nevada on October 22, 2014 and is republished with permission. Inclusion on the list does not indicate that the individual has been admitted to practice.
YOUNG LAWYERS SECTION IN ACTION
crease in pro se appearances in other matters, such as probate. The response by the courts to this issue may take even more clients out of the market, making it more difficult to have small and solo practices.

Q. There seems to be quite a few motions for attorney’s fees that come through our Court. How do you typically approach awarding fees?

A. The recession has led to great emphasis being placed upon obtaining attorney’s fees. Unfortunately, this court still sees quite a few motions made where little time is spent drafting the motion and then even less time is spent supporting the motion with an accurate billing. The legal basis for an award should be spelled out in the motion rather than supplying the court case law during the hearing with an explanation as to how the billings really support the requested dollar amount. More attention needs to be paid in drafting agreements that comport with Nevada law, as boiler plate language from other jurisdiction may complicate the issue.

A big thank you to Judge Aberasturi for participating in “Views from the Bench.”

Have you been wanting an excuse to cozy up to a judge? Write an article for the Young Lawyers Section Newsletter! Contact Amber Duvall (amber@handelinlaw.com) or Erin Barnett (erinbarnett100@gmail.com) for more details.

GOLDILOCKS PROGRAM

The Goldilocks Program has received many more requests from elementary schools across the state, asking for lawyers to present the program to their schools. The program consists of a 40-minute DVD presentation depicting what would have happened if Goldilocks were brought to trial for her actions at the Three Bears’ house on that fateful night in the woods. You will be provided with a script to help you walk through the DVD with the students and assist in “jury deliberation” with the students followed by a tabulation of their votes, and a short question and answer session.

If you are interested please contact Blakeley Griffith (bgriffith@swlaw.com) or Trisha Chapman (trishachapman33@yahoo.com).

CONGRATULATIONS!

(Continued from page 2)

Anne G. Nisce
Daniel Nubel
Eurik D. O’Bryant
Karolyn R. O’Krent
Kristine A. O’Quinn
Patrick S. O’Rourke
Lindsey E. Pena
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Julianne Marie K. Unite
Wade J. Van Sickle
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Kaitlin H. Ziegler
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Anthony C. Modarelli
William C. Moine
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Kyle K. Morishita
Taylor K. Morris
Viktoria C. Mullins
James M. Mundy
Melissa N. Mundy
Sunethra Muralidhara
Christopher R. Myers
Brian P. Nestor
Maria Michelle

(Continued from page 1)
**State Bar of Nevada Young Lawyers Section**

Learn more about YLS and find archived newsletters online at: [http://www.nvbar.org/content/young-lawyers-section](http://www.nvbar.org/content/young-lawyers-section)

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**RURAL DISTRICT**

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**UPCOMING EVENTS**

**Take pictures at your next YLS event and submit them for inclusion in the next newsletter!**

**IN THE SOUTH**

**FIRST ANNUAL MIDDLE SCHOOL MOCK TRIAL COMPETITION**

The students of the Justice and Advocacy Academy at Faith Lutheran Middle and High School will be hosting the First Annual Middle School Mock Trial Competition on May 2, 2015 from 8 a.m. – 3 p.m. Students will be arguing a civil law case in teams of 6-12 students. Middle schools from Southern Nevada will be receiving invitations to compete soon. If you are interested in coaching or judging please contact Hunter Dickerson at firmmocktrial@gmail.com.

**UPDATE ON PAST EVENTS**

**PROJECT SALUTE**

**Northern Nevada**

The Northern Nevada Chapter of Project Salute held its fourth pro bono clinic at the Reno Vet Center in Reno, Nevada on November 15, 2014. Seven volunteer attorneys met with 20 veterans to provide pro bono assistance with VA benefits claims and other legal issues.

Thanks go to our volunteers Kendra Bertschy, Gabrielle Bunker, Hillary Bunker, Jordan Davis, Trina Dahlin, Nancy Moss Ghusn, and Evan Brewer, as well as to Scott, Jenelle, Perfecto, and Troy of the Reno Vet Center for their hard work in outreach and for helping to make this event a success.

Additional thanks go to Lisa of the VA for her assistance in providing expert benefits consultation to complement the legal assistance of our volunteer attorneys.

Project Salute will host its next clinic at the Reno Vet Center on May 2, 2015. This will be our fifth event in Northern Nevada, as Project Salute continues to develop as a valuable source of legal assistance to the veterans in our community.

This is a great way to contribute to our local vets, and we’re always looking for new volunteers eager to get involved. If you are interested in volunteering with Project Salute or in attending a training/CLE, contact Evan Brewer ([ebrewer@nvcourts.nv.gov](mailto:ebrewer@nvcourts.nv.gov)) or Kendra Bertschy ([kbertschy@gmail.com](mailto:kbertschy@gmail.com)).

**PROJECT SALUTE**

**Southern Nevada**

The Southern Nevada Chapter of Project Salute held its annual Project Salute on November 11, 2014. With the assistance of several volunteer attorneys, and attorneys from Nevada Legal Services, we were able to assist 16 veterans with legal problems.

Last year, the event had five veterans attend, therefore the event appears to have grown significantly and been successful. If you are interested in volunteering with the Project Salute, please contact C.J. Potter ([cj@potterlaw.com](mailto:cj@potterlaw.com)) or Angela Cook ([cooka@unlv.nevada.edu](mailto:cooka@unlv.nevada.edu)).

CONTRIBUTE TO THE YLS NEWSLETTER! If you would like to contribute, contact Amber Duvall ([amber@handelinlaw.com](mailto:amber@handelinlaw.com)) or Erin Barnett ([erinbarnett100@gmail.com](mailto:erinbarnett100@gmail.com)).