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“To be successful and well respected you must give back to a community (legal or non-legal) that gives significant opportunities to you and to your family.”

VIEWS FROM THE BENCH

21 Questions with Justice Michael A. Cherry – Nevada Supreme Court

by Scott R. Lachman

Weinberg, Wheeler, Hudgins, Gunn & Dial – Las Vegas

The Honorable Michael A. Cherry knew he wanted to be a lawyer after watching Perry Mason as a kid in St. Louis, Missouri. After completing his studies at the University of Missouri and Washington University School of Law, Justice Cherry trekked across the United States to begin his legal career in Las Vegas, Nevada, much like many of Nevada’s young attorneys.

Little did he know at the time, he would have quite the legal career. As a young lawyer, he represented the indigent as a Deputy Clark County Public Defender. Subsequently, he became a partner in the law firms of Manos & Cherry and later Cherry, Bailus & Kelesis. While in private practice, he was named as Special Master of both the MGM Grand Hotel Fire Litigation and the Las Vegas Hilton Fire Litigation. After a brief stint in the newly created Clark County Special Public Defender’s Office, where he relived his glory days as a young attorney, he was elected to Department 17 of the Eighth Judicial District Court. Serving one term as a district court judge, Justice Cherry sought a seat on the Nevada Supreme Court. With a name like “Cherry” in Nevada, Justice Cherry succeeded to victory in both 2006 and 2012.

Having had the privilege of clerking for Justice Cherry from 2010 to 2013, I know first-hand the desire he has to help the young attorneys of this state. Whether it be giving advice to young attorneys at Transitioning Into Practice events or providing guidance to young attorneys who open their own practice just as he did, Justice Cherry is always there to support freshly-minted attorneys. It wasn’t long ago that he was watching Perry Mason, much like we watch Suits and Law and Order (he watches those too!).

Justice Cherry thoroughly enjoys reading Young Lawyer Section Newsletters and was honored to star in his own column for the benefit of young attorneys. I had the opportunity to sit down with him to ask the following 21 questions:

1. How can a young attorney become a Supreme Court justice?

Be involved in the legal profession. Be involved in the community-run bar office and WIN!

2. Why should young attorneys get involved in legal and non-legal professional groups?

To be successful and well respected you must give back to a community (legal or non-legal) that gives significant opportunities to you and to your family.



Justice Cherry

3. How can young attorneys get more involved in the appellate process?

Join the Appellate Section of the state bar and volunteer for pro bono appeals.

4. What are some common mistakes made by young attorneys during oral argument?

Spending too much time on peripheral issues and avoiding answering questions from the court.

5. What makes Nevada an ideal state for young attorneys?

Rather small legal community, excellent courts, judges and lawyers.

6. Do you have any advice for young lawyers facing addiction or mental health issues?

Contact Lawyers Concerned for Lawyers and get help.

7. Do you think that young attorneys spend too much time on their cell phones?

We all do.

8. How should Nevada attract young lawyers to its rural communities?

Better paying jobs. Create better opportunities in a rural setting than in Clark County or Washoe County.

9. What is your best piece of advice for young lawyers who hang their own shingle?

Don’t, until you have learned the basics of practicing law and running a business.

FRESH PERSPECTIVES

How Size Matters

by Charles Vlasic

Bogatz Law Group – Las Vegas

One of the most difficult decisions I faced as a young lawyer was having to choose whether to stay on as an associate at a larger, established firm, or whether to take a chance with a small, start-up firm. Nearly four years after opting for the small firm, I've had a chance to reflect upon some of the less-obvious factors (aside from compensation, etc.), which I believe would have been useful to consider when I was making this decision. This article reflects my own personal experience; however, my hope is that it may assist the next young lawyer who finds themselves at a similar fork in their career path.

Training and Mentoring

As a young attorney at a larger firm, I was the beneficiary of quite a bit of training and mentoring. For example, I had the opportunity to attend classroom-style training sessions, and I was able to observe depositions, hearings, mediations, arbitrations, trials, etc. I was able to watch and learn from a wide variety of skilled attorneys, each with their own unique style and technique.

At the small firm, I quickly learned that there was little, if any time allocated for training or observing. Instead, I was expected to contribute immediately and meaningfully, often times with little in the way of instruction or direct supervision. There is also much less in the way of mentoring – not only because there are fewer opportunities to simply observe, but also because there are fewer attorneys to learn from.

Expectations

At the larger firm, performance expectations were clear and direct. Feedback and reviews were standardized, comprehensive, and frequent. All the associates were measured not only against their own past performance and personal goals, but also against each other. The result was that there were a number of tangible ways to measure and track one's performance and growth as an attorney, in addition to just total hours billed and dollars collected.

At the small firm, there are no set performance expectations. Feedback, reviews, goals and competition are essentially non-existent. I am expected to initiate and motivate myself. Although hours billed and dollars collected are still relevant to the firm's bottom line, I've found that so long as I am doing everything I am asked and the clients are happy, so am I.

Office Politics

By definition, the larger firm required me to interact with a wide range of people – from runners and office staff, to legal assistants and law clerks, to fellow associates and partners. On the upside, having so many individuals working together seemed to allow for incompatible personalities to avoid each other while compatible personalities were able to seek each other out and work together effectively. On the downside, I found that navigating the politics inherent within and between all these individuals could be tedious at times. In my opinion, this tension contributed to the more formal atmosphere at the larger firm.



Charles Vlasic

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YOUNG LAWYER SPOTLIGHT

Dana Grigg

JAG / Grigg Law & Associates – Northern Nevada

Dana Grigg is a Judge Advocate General for the Nevada Military Department and the owner of Grigg Law & Associates. Dana earned her Bachelor of Arts in International Studies, Political Science, and History from Randolph-Macon Woman's College in Lynchburg, Virginia. She went on to earn her Master of Arts in English from Lynchburg College before earning her J.D. from Charlotte School of Law. Dana lives in Reno with her husband, their two children, and their cat and dog.

Q. Who or what inspired you to become a lawyer?

A. A classmate's mom who was a family law attorney specializing in abuse cases. I started telling my mom I wanted to be an attorney at age 6. I guess I've always had an inherent desire to protect people, especially those needing protection.

Q. What made you decide to go into the field of law you practice in?

A. I fell into my own practice of family law even though some may say it was destiny based on my inspiration to become an attorney. My current full-time position as a JAG may have also been destiny. I

joined the North Carolina National Guard between my sophomore and junior years of college. I then earned my commission after graduating from college and transferred to the Nevada Guard in 2010. Two years later, my predecessor retired, and the Nevada Military Department hired me in his place.

Q. What do you love about practicing in Nevada?

A. I love "the small town big city" feel of Northern Nevada. I also love the mountain view from my all of my offices both on and off base. I grew up in Florida, so it's a surreal feeling every day for me.

Q. If you weren't a lawyer, what would you be doing?

A. I would be working for the Nevada Military Department still, but I'd probably be working towards a command position rather than an adviser to those commanders.



Dana Grigg

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The Young Lawyers Section of the State Bar of Nevada is seeking interested applicants for the following positions:

REPRESENTATIVES - Executive Council

- Rural District Representative
- Carson City District Representative

The District Representative positions are a two-year commitment. As a Representative, you sit on the Executive Council for the Young Lawyers Section, and you will be required to attend telephonic monthly meetings.

COMMITTEE CHAIR POSITIONS—Northern and Southern Nevada Chair positions

1. **Goldilocks** – Introduction to Law program presented to elementary school children based on the Trial of Goldilocks. The Chairs will be responsible for coordinating presentations with schools and YLS volunteers.
2. **Project Salute** – Assist veterans in receiving their VA benefits. The Chairs will be responsible for coordinating the pro bono events.
3. **Poster and Essay Contest** – Students submit posters and essays in accordance with the ABA Law Day theme. The Chairs will be responsible for coordinating advertisements for the events; gathering entries; organizing, judging, and presentation of awards; and incorporating members into the judging and award ceremony events.
4. **Serving Seniors** – Assist seniors with simple estate planning documents. The Chairs will be responsible for coordinating the pro bono events.
5. **Trial Academy** – Lecture and practical exercises in trial skills, held in conjunction with the annual State Bar Annual Meeting.
6. **CLE** – The Chairs will be responsible for organizing CLE programming for Young Lawyers.
7. **Newsletter** – The Chairs will be responsible for editing the Young Lawyers Section Newsletter and contributing content.
8. **Grants** – The Chair will be responsible for the preparation of grant requests to the ABA and other sources.
9. **Social Chairs** – The chairs will plan regular member socials in the north and south. At least two socials will incorporate donation drives for toys and business attire, which will also require the Chairs to coordinate and donate collected items after events.

To qualify for the all the above positions, you must be 36 years or younger OR five years or fewer in practice. You must also be an active member of the Young Lawyers Section. If you are interested, please submit a resume and cover letter expressing why you are interested in the position(s) to Layke Stolberg at layke.stolberg@unlv.edu. If you were a chair this past year and wish to chair again, please let me know at layke.stolberg@unlv.edu.

*** Applicants must apply by Friday, August 8, 2014. ***

Views from the Bench – Justice Cherry (Cont.)

(Continued from page 1)

10. What Piece of Advice Can You Provide Young Lawyers?

Work hard but also ‘get a life’ – both are equally important.

11. Should Nevada make its bar exam easier?

Yes, yes and yes. Why should we have one of the most difficult tests in the country? Let’s be in the middle.

12. Does Nevada really need an appellate court?

Yes, yes, yes and of course.

13. Do you ever wish you stayed on the district court bench?

Yes, every time I am outvoted by my colleagues either 6-1, 5-2 or 4-3.

14. Should attorneys avoid citing unpublished decisions?

Yes, but they should be read and studied.

15. Do you have any opinions regarding famous/funny quotations in briefs?

Avoid this in order to keep and be successful at your day job.

16. The Nevada Supreme Court building or the Regional Justice Center?

I am very happy with the Supreme Court building in Carson City.

17. What do you consider your greatest professional accomplishment?

My service as Special Master in the MGM Fire Litigation, Hilton Fire Litigation and MGM Insurance Litigation.

18. Who is your mentor(s)?

Robert Archie, Robert Legakes, Jeffrey Sobel and Federal Judge Louis Bechtle.

19. What is your favorite YouTube video?

Bruce Springsteen – Dancing in the Dark.

20. What is your favorite legal book/movie?

Godfather II.

21. What makes you the coolest Supreme Court justice?

I am the oldest in dog years on the court and thus have a better handle on the history of the Nevada legal profession and judiciary. •

Young Lawyer Spotlight - Dana Grigg (Cont.)

(Continued from page 2)

Q. Besides your current job, what was your most memorable job?

A. It is a toss-up between being a bartender through college, graduate, and law school and being an assistant women’s college basketball coach through graduate school. I played basketball for a small Division 3 college in Virginia, and basketball was my passion for more than 15 years of my life. Bartending was a great social intelligence experience, which helped me tremendously in client interaction down the road.

Q. What do you enjoy doing outside of work?

A. Anything with my family outdoors and within the northern Nevada community.

Q. What do you consider your greatest accomplishment?

A. I’d have to say marrying my husband. Not because I’m a sappy romantic, but because it led to my career now and to our two amazing children.

Q. What are 3 things your peers probably don’t know about you?

A. 1. I’d love to publish in several different genres of writing in the future. 2. I was valedictorian and was part of a state championship women’s basketball legacy in high school; in fact, my old basketball coach in high school went on to and still coaches at FAMU. 3. My husband and my children have the initials of LRG and JAG—our son has my husband’s middle name, and our daughter has my middle name.

Q. What is the best advice you’ve ever received?

A. Make yourself better; you’re the only person you can control.

Q. What book are you reading right now?

A. Just finished “The Time Keeper.” It was very *apropos*, as I read it while camping over the 4th of July at Walker River and didn’t give a thought to time until we left on Monday.

Q. What do you listen to in your car on your way to/from work?

A. I know it should be NPR, but I usually just turn on top 40.

Q. What was your favorite low-cost meal as a poor law student?

A. Peanut butter and jelly sandwich with a cheap bottle of wine.

Q. Describe your perfect day off.

A. Camping is pretty awesome, but I’ll take a day of hiking, bike riding, or floating down the river too. There’s something about engaging with nature without having to really engage your mind too much, and then that perfect sleep that follows.

Q. What is the nerdiest thing about you?

A. I’m a hierarchical creature. I make lists all the time. However, I don’t have to scratch everything off my list. My husband makes fun of how I write “to-do” lists with blocks of time throughout the day, but I typically don’t follow them. •

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>

2014 - 2015 YLS OFFICERS

Chair - Matthew P. Digesti

Chair Elect - Layke M. Stolberg

Secretary - Jeffery Conner

Immediate Past Chair -
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Budget Director -
Dylan Ciciliano

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Fresh Perspectives – How Size Matters (Cont.)

(Continued from page 2)

The small firm requires me to interact with only a handful of people on a regular basis. I believe this fosters a less formal dynamic overall, which can be a mixed bag. On the one hand, it's easier for everyone to let their guard down and really be themselves. On the other hand, if everyone isn't on the same page, the firm atmosphere can quickly become toxic.

Reputation

Larger firms come with larger reputations. Judges, opposing counsel, and prospective clients might not have known me personally, but I'm sure they knew the name of the firm with which I was associated. There is no doubt I've enjoyed the benefit of the doubt more than once simply because of this fact. I'm also certain, however, this fact has played to my disadvantage at various times in my career. Put simply, as long as I was employed at the larger firm, my reputation was inextricably connected with it, whether I liked it or not.

Since joining the small firm, I've been free to forge my own reputation. This, I've learned, does not happen quickly nor easily. Earning respect from judges and opposing counsel, and attracting new clients requires hard work and tenacity. It requires putting yourself out there and creating your own identity.

Charles M. Vlasic III is currently a partner with the Bogatz Law Group, a full service law firm representing businesses and business owners from family owned operations to some of the largest private and publicly held companies in southern Nevada. Mr. Vlasic began his legal career as an associate at the law firm of Marquis Aurbach Coffing (then Marquis Aurbach). •

RECENT EVENTS

The Northern Nevada Section of Project Salute held its third pro bono clinic at the Reno Vet Center in Reno, Nevada on Armed Forces Day, May 17, 2014, from 10 a.m. to 2 p.m. Five volunteer attorneys met with 16 clients to provide pro bono assistance with VA benefits claims and other issues.

Thanks go to our volunteers Alison Colvin, Jordan Davis, Trina Dahlin, Nancy Moss Ghusn, and Evan Brewer, as well as to Renee Kelly of Nevada Legal Services and Scott Drew 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 Lotts of the VA and Troy Stormoen and Jenelle Lawrence of the Vet Center for their valuable contributions in providing expert consultation to complement the legal assistance of our volunteer attorneys.

Project Salute will organize a post-Veteran's Day pro bono clinic at the Reno Vet Center on November 15, 2014. This will be our fourth 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 eager to get new volunteers involved.

Tentatively scheduled for October, there will be one practical training with Vet Center staff and one accreditation CLE arranged with Nevada Legal Services.

If you are interested in volunteering with Project Salute or in attending a training/CLE, contact Evan Brewer (ebrewer@nvcourts.nv.gov) for information about accreditation and VA benefits CLEs. Accreditation is easy and free, but it moves slowly, so please plan ahead.



Marilee Breternitz and Jordan Davis present Lauren Healy with the First Place Award for the YLS Poster and Essay Contest

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