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COMMUNIQUE

THE OFFICIAL PUBLICATION OF THE CLARK COUNTY BAR ASSOCIATION

The Family Law Issue

OCTOBER 2021

Special feature

CLE Article #10:

Wanna Stay Out of Trouble in Discovery?

By ADR/Discovery
Commissioners
Jay Young and
Erin Truman

See pages 22-27



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Free CLE luncheon event

Diversity
in the
Legal Profession

Thursday

October 21, 2021

RSVP to the CCBA by

October 15, 2021

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BOOKS FROM THE BAR

The State Bar of Nevada has several reference publications available to meet the needs of Nevada attorneys, from comprehensive guides to compilations of templates in a variety of practice areas.



Nevada Appellate Practice Manual – 2018 EDITION

The 2018 edition has been painstakingly edited by experts in appellate practice and reflects all recent changes in the law as well as the most up-to-date procedures for practicing in Nevada's appellate courts. Some topics covered include: initiating an appeal, jurisdiction, settlement, criminal appeals, fast-track child custody, oral arguments and record preparation...in addition to many others.



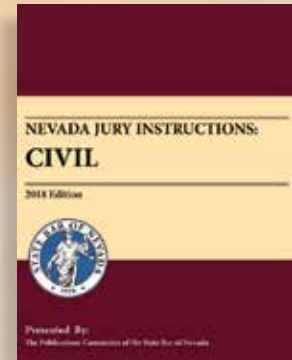
Nevada Gaming Law Practice and Procedure Manual

Written by attorneys with decades of experience in the practice of gaming law, this reference manual includes 18 chapters covering topics such as licensing, financing, gaming devices, race and sports books, compliance reporting requirements, interactive gaming and much more.



Contract Templates for Nevada Attorneys

This publication provides lawyers with a large selection of form contracts drafted for a wide variety of transactions, with specific regard to the laws of Nevada. The customizable forms are designed as a starting point for practitioners to craft custom agreements for use in commercial and residential purchases and leases, employment, intellectual property, deeds and cyber law...to name a few.



Nevada Jury Instructions: Civil - 2018 EDITION

Nevada Jury Instructions: Civil provides attorneys participating in civil jury trials in Nevada with downloadable sample jury instructions in an easy-to-use format. The language in each template has been adapted from documents actually used in trial with an eye to being as party-neutral as possible. The book includes subjects such as: contractual relationships, employment law, evidence, experts, intentional torts, fiduciary relationships, personal injury damages, eminent domain and more!

We've Got More!

The state bar's online store includes additional titles of interest to attorneys practicing in Nevada, such as Nevada Business Entities, Succession Planning in Nevada and the Guide to the Tribal Courts of the Inter-Tribal Council of Nevada.

To see all of the current titles available, visit:
www.nvbar.org > Publications > State Bar Publications





COMMUNIQUE

THE OFFICIAL PUBLICATION OF THE CLARK COUNTY BAR ASSOCIATION

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ADR/Discovery Commissioners Jay Young and Erin Truman pictured at the Regional Justice Court in downtown Las Vegas.

The Family Law Issue

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Rock Rocheleau to Present Family Law CLE Program on October 14, 2021

By Stephanie Abbott

Divorce lawyer Rock Rocheleau will make a special presentation for the continuing education of Nevada lawyers in a program produced by the CCBA's CLE Committee on Thursday, October 14, 2021.

Rock Rocheleau is the managing attorney at Right Lawyers. He is a graduate from the University of Nevada, Las Vegas with a degree in Social Sciences. He earned an associates in Avionics Technology in the United States Air Force. Rock graduated with his law degree from UNLV's Boyd School of Law.



Rock has been married to Family Court Judge Stacy Rocheleau for 29 years. They have three amazing daughters attending college. But their favorite child is Jake, their seven-year-old Schnauzer Schnoodle mix.


Rock will present "Half!! - The Four-Letter Word in Divorce Court" to highlight relevant information for Nevada lawyers. He will address the following topics:

- Do judges divide the property "exactly" even?
- How do judges divide the equity in a separate property home?
- Do judges divide everything, even the dishes and silverware?
- Is a pension or 401K divided?
- What property is not divided in a divorce?

This CLE program will be held online via Zoom, from 12:00 to 1:15 p.m., Thursday, October 14, 2021. The presentation will offer 1.0 CLE credit to CCBA members only. This free lunchtime learning event (via Zoom) offers 1.0 hours of CLE (NV) and is for CCBA members only. CCBA membership will be verified upon RSVP. During the event, attendance will be taken and only those members in attendance will have their attendance reported to the NV CLE Board.

This free lunchtime learning event (via Zoom) offers 1.0 hours of CLE (NV) and is for CCBA members only.

Special thanks to the Bank of Nevada and Las Vegas Legal Video for supporting CCBA's CLE Programming.

To RSVP for this event, contact Donna Wiessner at Donnaw@clark-countybar.org, (702) 387-6011. 

CCBA's CLE programming sponsors



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Stephanie Abbott is the communications manager for the Clark County Bar Association (CCBA). She also serves as the bar's staff liaison to the bar's Community Service Committee; Publications Committee; and the Diversity and Inclusion Committee for Equity.



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Bench and Bar Leaders to Discuss Diversity in the Legal Profession at Luncheon on October 21

By Stephanie Abbott

On October 21, 2021, the Clark County Bar Association will host “Diversity in the Legal Profession,” a special luncheon event featuring a panel discussion about diversity, inclusion, and equity in the legal profession with notable members of Nevada’s legal community. The event offers 1.0 hour of ethics continuing legal education (CLE) for Nevada lawyers. This event is sponsored by

- Bank of Nevada
- Campbell & Williams
- Law Office of Jeffrey Burr
- Las Vegas Legal Video
- Wright Marsh & Levy

Members of the State Bar of Nevada and Clark County Bar Association are invited to attend the live event or to get the links to access the recorded materials at no charge. This event will be held in person in the Bel Air Banquet Room, inside the Golden Nugget located in downtown Las Vegas. Seating will be limited.

To RSVP, call the CCBA’s office at (702) 387-6011 or complete the RSVP form on the bar’s website at www.clarkcountybar.org.

Event format and location

“Diversity in the Legal Profession” will be a private event with the following planned agenda:

- Check-in and networking: 11:30 AM to 12:00 PM
- Bar business and sponsor announcements: 12:00 to 12:15 PM
- Speaker’s presentation: 12:15 to 1:15 PM
- Closing remarks: 1:15 PM

Members of the State Bar of Nevada and Clark County Bar Association are invited to attend the live event or get the links to access the recorded materials at no charge.

Meet the panelists

Judge Tierra D. Jones, Eighth Judicial District Court

Tierra D. Jones is currently a District Court Judge in Department 10 of the Eighth Judicial District Court. In April of 2017, when she was appointed to the bench, she became the first African American woman to serve on the district court in the State of Nevada. Judge Jones serves as the presiding judge of the court’s criminal division and manages the homicide program. Judge Jones earned her Juris Doctorate in 2006 from the William S. Boyd School of Law. She is a member of several volunteer organizations, and truly enjoys mentoring young lawyers through her volunteer work.



Bryan K. Scott, Las Vegas City Attorney

Bryan K. Scott earned his B.S. in Business Administration from UNLV (1988) and JD from Lewis and Clark Law School (1991). An Attorney for 30 years, he has worked for the City of Las Vegas since 1996. In July 2020, he became the first African American Las Vegas City Attorney in the City's history. From 1991-1993, Bryan was an Associate Attorney for Donald J. Campbell and Rawlings, Olson, Cannon in 1993-1996. Scott was the first African-American President of the State Bar of Nevada (2016-2017); the Clark County Law Foundation (2006); and the Clark County Bar Association in 2005. He was President of the Las Vegas Chapter of the National Bar Association 1996-1999.



Lora Picini, Senior Vice President of Diversity, Inclusion and Talent Management, Everi Holdings

Lora Picini is the SVP of Diversity, Inclusion and Talent Management at Everi, a gaming equipment and financial technology provider with its headquarters in Las Vegas, Nevada. In her role at Everi, she oversees the human resources function for the company, with an eye to constantly elevate engagement, inclusion, and diversity among the employees.



Lora and her family moved here from Washington, D.C. in 2004, where she had held various roles in the health care legal field both at companies and at law firms. Prior to that, she began her legal career in health care law in the Los Angeles, California area, working for a boutique law firm in the managed health care field.

Nedda Ghandi, Partner, Ghandi Deeter Blackham

Nedda Ghandi is a Nevada native. She attended the William S. Boyd School of Law at University of Las Vegas. She has been practicing law in Nevada since 2008. Her determination to get her client's the results they seek has turned many client relationships into friendships and a significant referral network. Nedda serves as President-Elect of the Clark County Bar Association and will serve as President of the CCBA during 2022.



Annette Bradley, Chair, CCBA's Diversity and Inclusion Committee for Equity

The moderator for this event will be Annette Bradley, Esq. who recently retired as General Counsel for the Southern Nevada Health District and while continuing to be an active member of the Nevada bar, is looking forward to enjoying family, friends, and travel.



Registration options

The event will be held in person; however it will also be recorded. Registration options available are listed below:

- Live seating (in-person)
- Live webcast (via Zoom)
- Recorded materials rental (to be made available 2 weeks after live event)

For more information, contact Donna or Steph at the CCBA, (702) 387-6011. **G**



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COMMUNIQUE

THE OFFICIAL PUBLICATION OF THE CLARK COUNTY BAR ASSOCIATION

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For more information about our publication's editorial calendar, deadlines, editorial policy, author guidelines, ad rates, ad specifications, and deadlines, contact the publisher at Clark County Bar Association, 717 S. 8th Street, Las Vegas, Nevada, 89101. Phone: (702) 387-6011.

Editorial Calendar

Cover Date	Topic of Articles	Closing Date
November 2021	Estate Planning Law	10/1/2021
December 2021	Pro Bono	11/2/2021
January 2021	Five Things	12/1/2021
February 2021	Employment Law	1/7/2022
March 2022	Educational Law	2/1/2022
April 2022	Environmental Law	3/1/2022
May 2022	Discovery	4/1/2022
June/July 2022	Ethics	5/3/2022
August 2022	Post-COVID Legalities	7/1/2022
September 2022	Election Law	8/1/2022
October 2022	Cyber Law	9/1/2022

*The combined June/July issue will be released in June. The editorial calendars, schedules, editorial policies, and writer's guidelines for the *Communiqué* are subject to change without notice.

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Volunteers Needed to Judge UNLV Client Counseling Competition

The Clark County Bar Association is recruiting attorneys and judges to volunteer as at the William S. Boyd School of Law's 23rd Annual Client Counseling Competition scheduled for Friday, October 8, and Saturday, October 9, 2021. Most volunteers will be needed to judge the preliminary round. Volunteers should be Nevada attorneys, judges or mediators.

About the competition

The Client Counseling competition provides 1L and 2L students at Boyd their first opportunity to practice their interpersonal skills, as future attorneys, through a consultation with a mock client.

The 1L and 2L students form teams of two and consult with a mock client. The mock client has been given a detailed fact pattern to work off of (the student-teams do not know this fact pattern). It is the goal of competing students to attempt to get as many facts and issues out of the mock client within a fifteen minute timespan, all while maintaining a professional demeanor.

Each student-team will have roughly fifteen minutes to consult with the mock client. The judge will then have a few minutes to score the team and then will have five minutes to provide constructive feedback to the competing teams.

Volunteers needed for competition rounds**Friday, October 8, 2021**


- Preliminary Round 1: 6:45 p.m. – 9:15 p.m.

Saturday, October 9, 2021

- Semi-finals: 2:00 p.m. – 3:15 p.m.
- Finals: 3:45 p.m. – 5:00 p.m.

Judging the competition qualifies as pro bono service!

It is the role of the judge to observe student-teams assigned to them and score them on both their interpersonal communication skills and their ability to find potential legal issues from the mock client's fact pattern.

To sign up as a volunteer, contact Sunethra Muralidhara, SMuralidhara@wmllawlv.com, or Madysen B. Hinkel, hinkem1@unlv.nevada.edu. 


Hot Topics in Family Court Discovery CLE on October 12

On October 12, 2021, Discovery and ADR Commissioners Erin Lee Truman and Jay Young will present the third in a series of CLE programs produced by the Clark County Bar Association's CLE Committee. The CLE series, "Discovery & ADR CLE with The Commissioners," is being webcast via Zoom, from 12:30 to 1:30 PM, for three occurrences:

- Part 1: Hot Topics in Civil Discovery – Tuesday, September 28, 2021
- Part 2: ADR: What do you Need to Know? – Tuesday, October 5, 2021
- **Part 3: Hot Topics in Family Court Discovery** – Tuesday, October 12, 2021

Each part of the series offers 1.0 hour of continuing legal education for members of the Nevada bench and bar. During each part, attendance will be taken and reported to the NV CLE Board by the CCBA. All three parts are available at \$60 per CCBA member and \$120 per non-member. All three parts will be recorded.

For more information and to order the series, contact Donna Wiessner at Donnaw@clarkcountybar.org, (702) 387-6011.

CCBA's CLE programming is sponsored by Bank of Nevada and Las Vegas Legal Video. 

RSVP for live webcasts or Order the recorded versions!

CCBA's CLE programming sponsors



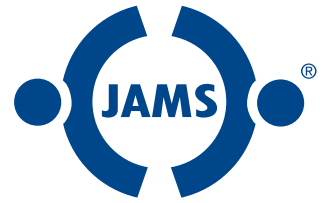
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To schedule an in-person, virtual or hybrid mediation or arbitration, visit jamsadr.com/lasvegas or call 702.457.5267.





SPECIAL EVENT

**THURSDAY
NOVEMBER 4, 2021
5:30-8:30 PM**

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This event is open to attendance by Nevada's judges, attorneys, paralegals, legal secretaries, law students, merchants, and candidates.

This is a private cocktail reception; no minors allowed. Business casual attire acceptable.

MASKS & VACCINATION POLICY

Mask and COVID-19 vaccine or negative test will be required for all upon entry.

Masks will be required regardless of vaccination status. Additionally, The Smith Center has instituted a vaccination policy. Please take note of and respect their policy as you make plans to attend our event. Visit their website at <https://thesmithcenter.com/visit/safety-and-security/keeping-each-other-safe/> to stay up to date on their health and safety policies.

RSVP TO THE CCBA BY OCT. 26, 2021. For more info, call 702-387-6011 or see ClarkCountyBar.org.

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30th Annual MEET YOUR JUDGES MIXER



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Volunteer Attorneys Needed for In-Person Law Fairs

Las Vegas

Saturday, October 23

10:00 am - 2:00 pm

&

Wednesday, October 27

10:00 am - 2:00 pm

Volunteers needed in the following
areas of law:

Family

Estate Planning

Consumer

Record Sealing

Bankruptcy

Landlord Tenant

*Volunteer for 1, 2, 3 or all hours of the event

*Virtual volunteer opportunity available

To volunteer or for more information
contact (Las Vegas) **Heather Barrow** at

(702) 386-0404 ext. 170 or

hbarrow@nlslaw.net


NLSLAW.NET

Notice of Election for 2022 CCBA Executive Board

Deadline for nominations is November 2, 2021

Nominations from members to serve on the 2022 CCBA Executive Board will be accepted through Tuesday, November 2, 2021, at 4:00 p.m. Nominations should be sent to the CCBA President, James Harper at Prez@ClarkCountyBar.org. The nominating committee shall consider the following criteria and characteristics as applied to each prospective nominee in their application:


- Current CCBA membership in good standing
- Demonstrated past service to the CCBA
- Contribution to creating balance on the executive board of representation amongst various areas and types of the practice of law
- Professionalism
- Knowledge and expertise in an area in which the CCBA needs or desires assistance
- Such other factors as the nominating committee may deem relevant and appropriate

The election will be held at the 40 Year Club & Annual Meeting luncheon on Thursday, December 2, 2021. 

Attorney Memorial Service Scheduled for November 5

Bar members are invited to attend the Annual Attorney Memorial Service, a special event to honor Nevada attorneys who have passed on during the last year. This year's event will be held in-person. See below for details.

- Date: Friday, November 5, 2021
- Time: 3:00 p.m. to 5:00 p.m.
- Note: Service to begin promptly at 3:00 p.m. with a reception to follow immediately.
- Location: Lloyd D. George U.S. Courthouse, Courtroom 6C, 333 Las Vegas Boulevard South, Las Vegas

The annual attorney memorial services is produced by the Clark County Law Foundation in conjunction with the Clark County Bar Association, State Bar of Nevada, Eighth Judicial District Court, U.S. District Court, and the Federal Bar Association-Las Vegas Chapter. To learn more, contact Patrick at CCLF, (702) 333-8877. 



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CCBA@redpandasystems.com



Clark County Bar Association presents



40 Year Club Luncheon & Annual Meeting

Thursday, December 2, 2021

The Smith Center for the Performing Arts

Celebrating CCBA members practicing law in Nevada for 40, 45, 50, & 55 years.

This year, we will induct CCBA members who were admitted in 1981 to practice law in Nevada and honor members admitted in 1976 and 1971.

40 Year Club Inductees (Admitted 1981):

David Barron, Barron & Pruitt, LLP

James Bradshaw, McDonald Carano, LLP

David Chesnoff, Chesnoff & Schonfeld

Mark Ferrario, Greenberg Traurig, LLP

Judge David Gibson, Henderson Justice Court

P. Gregory Giordano, McDonald Carano LLP

Sal Gugino, Gugino Law PLLC

J. Randall Jones, Kemp, Jones & Coulthard, LLP

George Kelesis, Cook & Kelesis, Ltd.

Lorraine Mansfield, Reed and Mansfield

Judge Victor Miller, Boulder City Justice and Municipal Courts

Senior Judge Nancy Oesterle, Eighth Judicial District Court

Gene Porter, PrivateTrials

Dan Reaser, Fennemore

Layne Rushforth, Rushforth Firm Ltd.

Marc Simon, Simon Law, LLC

Steven Wolfson, Office of the Clark County District Attorney

When & Where:

Thursday, December 2, 2021

Check-in & Networking: 11:30 a.m.

Luncheon Program: 12 to 1:30 p.m.

The Smith Center for the Performing Arts

Upper Lobby, 5th Floor

361 Symphony Park Avenue, Las Vegas

Featuring:

- Master of Ceremonies Dan Polsenberg
- Anecdotes & Interviews with inductees and honorees
- 2022 CCBA Board election
- Plated lunch

RSVP to the CCBA by November 18, 2021.

ClarkCountyBar.org or 702-387-6011

Sponsorship opportunities available. Contact Donnaw@clarkcountybar.org.

Eighth Judicial District Court Civil Bench Bar Meeting

Members of the bar who practice before the Eighth Judicial District Court (“EJDC”) are invited to attend the Civil Bench Bar Meetings. See below for information on the next meeting.

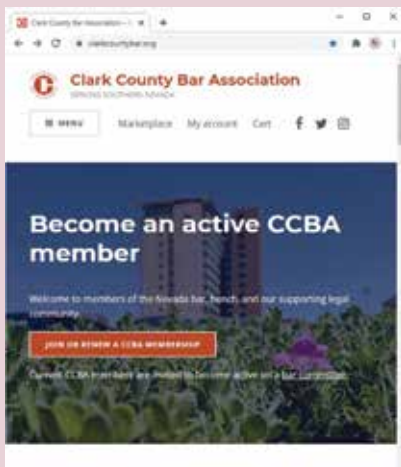
- When: Tuesday, October 19, 2021, Noon to 1:00 PM
- Where: Online via Zoom
- What: Learn what’s happening at the court and discuss any modifications of processes in the civil department.

For more info and to RSVP, send inquiries to EJDCBenchBar@gmail.com.

Court news online

Find updates from local, state, and federal courts in southern Nevada posted to our website at <https://clarkcountybar.org/>.

Search: “Court News”.



Court Orders Civil/Criminal Division Case Reassignments, Track Schedules

On Friday, September 3, 2021, Chief Judge Linda Marie Bell of the Eighth Judicial District Court (EJDC) signed an administrative order in the matter of Civil/Criminal Division Case Reassignments. See Administrative Order 21-06 (AO 21-06) available as a nine-page PDF file to download from the Clark County Bar’s website at <https://clarkcountybar.org/court-orders-civil-criminal-division-case-reassignments-track-schedules/>.

The nine-page order details reassignments for several judicial departments, including specific changes for departments 1 through 30. AO 21-06 also includes an updated schedule for:

- Criminal Tracks
- Criminal In-Custody Calendars (COVID-19 Schedule)
- Criminal Out-Custody Calendars (COVID-19 Schedule)
- Lower-Level Arraignment Schedule
- Lower-Level Arraignment Rotation

For more information about this and other news from the EJDC, read the blog posts at <https://eighthjd-court.wordpress.com/>.

LVJC Orders Temporary Procedures in Criminal Cases Alleging Traffic Offenses

On August 25, 2021, Las Vegas Justice Court Chief Justice of the Peace Melissa Saragosa and Supreme Court of Nevada Chief Justice James Hardesty filed an order in the administrative matter regarding temporary procedures in criminal cases alleging traffic offenses. See Administrative Order #21-09.

Citing concerns for the administration of the courts, the order addresses matters related to procedures related to the following topics:

- Public health
- Closure of traffic division lobby
- Temporary use of customer service windows
- Bench warrants
- Legislative changes
- Alternative electronic methods for resolving traffic citations
- Traffic trials

The order stresses the need for traffic-related matters to be conducted by telephone, video, or remote electronic means and recommends that “defendants should consider consulting legal counsel of their choosing prior to entering a plea of not guilty and submitting a statement in defense or a written pleas form to the Justice Court.”

Court continued on page 18

Workers' Comp is *not* Personal Injury.

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The order states, the “Las Vegas Justice Court has not resumed setting traffic trials for defendants who wish to plead not guilty and have their case set for trial. Due to resurgence of COVID-19 cases, delays in construction of Courtroom 1D, IT programming necessary to develop and launch Matterhorn, and redirection of court resources, including hearing masters to assist with eviction cases, it is not anticipated that traffic trials will resume until January 2022.”

For more information about the Las Vegas Justice Court’s rules and administrative orders, visit http://www.lasvegasjusticecourt.us/faq/laws_and_rules.php.

Judge Douglas Hedger to Retire from Henderson Muni Court

Judge Douglas Hedger has announced his retirement from the Henderson Municipal Court bench after more than 18 years of service. His last day on the bench will be October 4, 2021. In his retirement



notice to the Mayor and Council members, he reflected on his years of service. “It has been an honor and pleasure to serve the residents of the City of Henderson for more than eighteen (18) years.”

Chief Judge Rodney Burr com-

mented on Hedger’s retirement, “Judge Hedger has served our community with honor. His years of dedicated service will leave a lasting, positive impact for years to come.”

During Judge Hedger’s tenure on the bench, the City of Henderson has seen phenomenal growth in its population, from just over 214,000 in 2003 to over 341,000 in 2021. Hedger commented on the actions he took in response to that growth, “Along with the many good things that have come with that growth, I have also witnessed our criminal caseloads increase significantly. Much of that caseload growth stems from substance abuse and addiction. In order to proactively

address those issues, I created, and have presided over, the Assistance in Breaking the Cycle (ABC) Drug Court since 2008. Our specialty court has helped many individuals turn their lives from drugs and criminal activity to clean and sober, crime-free lives.”

The ABC Court has been nationally recognized, has received multiple State and Federal grants totaling more than \$978,000, and has been used as a model for other programs in Southern Nevada courts. “Participating in and seeing the positive impact the judicial system can have on helping people turn their lives around has been one of the most fulfilling aspects of my career,” Hedger says.

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Judge Hedger has also served on numerous committees, which have allowed him to have an impact on judicial education and the funding of other drug and alcohol specialty courts throughout the State of Nevada.

Judge Hedger plans on staying active in the legal community, practicing law at Clear Counsel Law Group, serving as an instructor for the National Drug Court Institute and continuing as the American Bar Association's Judicial Outreach Liaison for Nevada (which focuses on improving the safety of our roads through proactive impaired-driving education). **C**

Las Vegas Chapter of the National Bar Association Hosts Annual Scholarship Gala on October 16, 2021

The Las Vegas Chapter of the National Bar Association (LVNBA) will host the "Annual Scholarship Gala and Ruby Red 40th Anniversary Celebration" on Saturday, October 16, 2021.

This special event raises funds for scholarships for law students who are committed to serving minority, low income, and other underserved communities in Clark County, Nevada. The Annual Scholarship Gala is the LVNBA's signature event, and since 1987 the LVNBA has given tens of thousands of dollars to law students in scholarships.

Increasing and maintaining diversity in the legal profession—in law firms, corporations, the judiciary, government, law schools, the legal academy, and bar associations—is vital for ensuring a more just, productive, and intelligent legal system.

For more info and to order tickets for this special event, see <https://www.lasvegasnba.org/annual-scholarship-gala>. **C**

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Beating the Backlog

By Chief Judge Linda Marie Bell

The court has made it a priority to keep cases moving and trials tracking in a safe and effective manner. I want to thank the Presiding Judges Nancy Allf, Rebecca Burton, and Tierra Jones for their tireless work during the difficult times of this pandemic. A strategy is in place to meet the priority of full-days for trials to keep them moving forward. As of August 31, the Eighth Judicial District Court has completed 19 jury trials since trials resumed in courtrooms in early June 2021. For every one of these trials, numerous cases resolved at calendar call and central calendar call. Many thanks to Judge Tierra Jones for managing the central calendar-call calendar and thanks to those who assisted with case coverage. In addition, from January 1, 2021 to July 30, 2021, 142 civil bench trials were successfully completed. To keep things running smoothly and effectively, lawyers are reminded to provide the necessary trial information at calendar call (how many days, how many witnesses, and the names of trial counsel). This information will be included in calendar call minutes.

Settlement conferences have proven to be an effective way to resolve cases. The court has increased the number of settlement conferences that the senior judges are covering. A large number (20-30 a week) of civil

and family senior settlement conferences are being set. Those scheduled for a settlement conference should avoid last minute cancellations. While emergencies do happen, please be aware that we have a significant backlog to address with limited resources. Those who schedule settlement conferences are expected to attend and be prepared.



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Judge Linda Marie Bell is the chief judge for the Eighth Judicial District Court. She has been serving in department 7 since 2009, handling civil and criminal cases, managing Grand Juries and overseeing the criminal division specialty courts.

The establishment of docket numbers was the number one priority identified by the Information Technology Bench/Bar Committee, several years ago. Order in the Court (OIC) has been implemented to enable the court to manage cases remotely. Docket numbers (or docket index numbers) are now live in Odyssey. The docket number system will function much like the federal PACER system. Docket numbers are viewable to both the court and to the public on Portal. The goal is for filers to include docket numbers in their pleading titles to convey context to existing filings. The new system should improve organization and efficiency. Docket numbers will appear in real-time in Odyssey. Updates may take up to an hour to be visible online in Portal. I would like to recognize Judge Elizabeth Gonzalez for the seeds she planted to bring docket numbers to fruition. Thanks also to the court IT department for their work on docket numbers, OIC and for getting us through the immense challenges of this past year.

Commissioners Erin Truman and Jay Young have done an outstanding job keeping the arbitration and short trial programs moving at full force, even during the pandemic. Approximately 80 short trials/short bench trials were completed by the end of August.

The new system should improve organization and efficiency. Docket numbers will appear in real-time in Odyssey. Updates may take up to an hour to be visible online in Portal.

I am truly appreciative of the tremendous work that has been accomplished in the Eighth Judicial District Court through this past year and a half of unprecedented times. Judges, attorneys, court administration and court staff have risen to the challenge and managed to ensure that justice is served, despite what otherwise seem to be insurmountable challenges. **C**

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Wanna Stay Out of Trouble in Discovery?

By ADR/Discovery Commissioners Jay Young and Erin Truman

**About the CCBA's Article #10, "Wanna Stay Out of Trouble in Discovery? ": The Clark County Bar Association (CCBA) offers 1.0 Continuing Legal Education (CLE) Credit to Nevada lawyers who complete the test and order form per the offer described in the October 2021 issue of Communiqué. See pp. 22-27. The CCBA is an Accredited Provider with the NV CLE Board.*

Discovery Commissioners Erin Lee Truman and Jay Young recently taught a series of CLE courses on ADR and Discovery to great acclaim (*Editor's Note*: Actually, they made us say that). Here at the CCBA, we want all attorneys, even those who were not able to attend the seminars, to benefit from the Commissioners' practical counsel to keep us all out of hot water when involved in a discovery dispute. You want to stay out of hot water, don't you? Then read on, friend.

The course materials from the Commissioners' recent seminars can be found at <https://clarkcountybar.org/marketplace/cle-programs/>. They will also be available on the court's website at <http://www.clark-countycourts.us/departments/discovery/>. Keep these materials as a handy reference guide for when you and

your staff prepare your next discovery matter. Learn what actually constitutes a meaningful, good faith meet and confer, pursuant to EDCR 2.34. Discover the new requirement by the Court of Appeals regarding court orders and the Rule 26 proportionality factors and why you should always include them in your motions. Decide if the Commissioner can hear your motion to continue trial. Avoid pitfalls and mistakes.

But wait! That isn't all. If you keep reading, you can also earn CLE credit. That's right. We know you know the drill by now. Read the materials. Take the Test. Complete the order form. Suddenly you will appear more attractive (satisfaction not guaranteed), obtain CLE credit, and may better advocate for your clients in discovery disputes (satisfaction not guaranteed).



Jay Young is an ADR/Discovery Commissioner for the Eighth Judicial District Court. He enjoys moonlit nights and Bluejeans hearings.

Erin Truman is an ADR/Discovery Commissioner for the Eighth Judicial District Court. Prior to her appointment, she was a litigator in Las Vegas for 25 years during which time she tried in earnest to avoid discovery disputes.

CCBA CLE Article #10

Quiz

Wanna Stay Out of Trouble in Discovery?

Complete the quiz. Each question has only one correct answer.

1. T/F If all counsel shared their opinions regarding a discovery dispute in a series of emails stating their positions, they have met the EDCR 2.34 requirement to meet and confer before filing a motion on the dispute.
2. T/F An affidavit that states as follows:

“I held telephonic conference with opposing counsel on or about September 12, 2021. Counsel were not able to resolve the matter. The Movant has engaged in a good faith meet and confer.”

meets the certification requirements in EDCR 2.34 or EDCR 5.602:
3. T/F My discovery motion will be denied and I may be sanctioned if I file the motion without a certification that the parties engaged in an adequate, meaningful, and good faith effort to meet, confer, and attempt to resolve the matter before seeking court intervention.
4. The Supreme Court requires the denial of a motion for attorney fees unless it contains (mark all that apply):
 - a. Proof that the award is authorized by statute, rule, or contract
 - b. Analysis of the *Brunzell* factors, presented through competent evidence (affidavit)
 - c. Billing records or other justification for the amount of fees is presented through competent evidence (affidavit and invoice with privileged information redacted)
 - d. The “qualities” (or qualifications) of each time biller, presented through competent evidence (affidavit)
 - e. Discussion of the reasonableness of the fees requested compared to the marketplace and given the skills and training of each advocate
 - f. All of the above

CLE Quiz continued on page 24

Instructions for CCBA's CLE Article #10

How Nevada lawyers may earn 1.0 General CLE credit in three easy steps:

1. Read the article, “Wanna Stay Out of Trouble in Discovery?” (CCBA CLE Article #10). See page 22 and materials online referenced by the authors;
2. Complete the quiz. See pages 23-26; and
3. Complete the order form. See page 27.

Questions: Contact Donna Wiessner at the Clark County Bar Association, (702) 387-6011.

5. The Supreme Court requires the denial of a request for an award of costs unless it contains (mark all that apply):
- a. Evidence all costs were incurred, proved by attaching receipts or other proof (not just inclusion in billing records), introduced through a Rule 56(e) compliant affidavit
 - b. An affidavit that demonstrates how each cost was actually incurred
 - c. An affidavit that demonstrates how each cost was necessary (a conclusory statement that the “cost was necessary” is not enough)
 - d. An affidavit that demonstrates how each cost was reasonable in the community
 - e. All of the above
6. T/F Drafting an overbroad discovery request that is not proportional or narrowly tailored to the needs of the case is sanctionable conduct.
7. T/F Lodging boilerplate objections to discovery requests is sanctionable conduct.
8. T/F Discovery Commissioners require the use of an official form when submitting a DCRR on an application for fees and/or costs.
9. What local rule requires that you include each discovery request and the responses thereto *verbatim* in your motion?
10. T/F You must include the proportionality factors from NRCP 26(b)(1) and *Venetian Casino Resort, LLC v. Eighth Judicial Dist. Ct.* in your proposed Discovery Commissioner’s Report and Recommendation.
11. The proper standard for the scope of discovery is:
- a. Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party’s claims or defenses and proportional to the needs of the case.
 - b. Parties may obtain discovery that appears reasonably calculated to lead to the discovery of admissible evidence.
 - c. Discovery must consider the importance of the issues at stake in the action, the amount in controversy, the parties’ relative access to relevant information, the parties’ resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.
 - d. a and b only
 - e. a and c only
 - f. b and c only
 - g. a, b, and c
12. A Discovery Commissioner has the power to (mark all that apply):
- a. Administer oaths
 - b. Find counsel or a party in contempt
 - c. Conduct settlement conferences
 - d. Extend discovery deadlines
 - e. Grant trial continuances
 - f. Strike pleadings
13. T/F For discovery to be allowed, it must be both relevant to a party’s claim or defense and proportional to the needs of the case.
14. In *Venetian Casino Resort, LLC v. Eighth Judicial Dist. Ct.*, 136 Nev. 221, 467 P.3d 1 (Ct. App 2020), the Nevada Court of Appeals outlines factors the district court must consider in analyzing which of the following discovery disputes:
- a. the proportionality of discovery under NRCP 26(b)(1)
 - b. whether good cause for a protective order under NRCP 26(c)(1) exists

- c. the proper venue for a NRCP 30(b)(6) deposition to proceed
- d. a and b only
- e. All of the above

15. T / F The following are factors the district court should weigh in considering the proportionality of discovery under NRCP 26(b)(1):

- a. the importance of the issues at stake in the action;
- b. the amount in controversy;
- c. the parties' relative access to relevant information;
- d. the parties' resources;
- e. the importance of the discovery in resolving the issues; and
- f. whether the burden or expense of the proposed discovery outweighs its likely benefit.

16. In *Venetian Casino Resort, LLC v. Eighth Judicial Dist. Ct.*, 136 Nev. 221, 467 P.3d 1 (Ct. App. 2020), the Nevada Court of Appeals adopted the Ninth Circuit's three-part test for conducting a good-cause analysis under the FRCP 26(c), and applied it to NRCP 26(c).

The 3 factors are:

- a. _____
- b. _____
- c. _____

17. T / F The following is a non-mandatory and non-exhaustive list of factors for courts to consider when determining if good cause exists for a protective order under NRCP 26(c).

CLE Quiz continued on page 26

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A three-part series of CLE programs produced by Stephen Smith, Esq. of the Clark County Bar Association's CLE Committee.

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- **Part 1: Civil Discovery** – Tue., September 28, 2021
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- a. whether disclosure will violate any privacy interests;
- b. whether the information is being sought for a legitimate purpose or for an improper purpose;
- c. whether disclosure of the information will cause a party embarrassment;
- d. whether confidentiality is being sought over information important to public health and safety;
- e. whether the sharing of information among litigants will promote fairness and efficiency;
- f. whether a party benefitting from the order of confidentiality is a public entity or official; and
- g. whether the case involves issues important to the public.

18. T/F A motion to extend discovery deadlines should be always be heard and decided by a discovery commissioner.

19. Which of the following must be first heard before a discovery commissioner (unless all discovery in the case is being heard by the assigned district court judge, i.e. business court cases): (Mark all that apply).



- a. Motion to compel (deposition; responses to subpoenas; requests for production of documents; and interrogatories)
- b. Motion for protective order (deposition; subpoenas; requests for production of documents; requests for admission; interrogatories; Rule 35 physical or mental examination; Rule 34 site inspection; etc.)
- c. Motion to quash subpoena
- d. Motion to set reasonable fee for expert witness
- e. Motion for Rule 34 site inspection
- f. Motion for Rule 35 physical or mental exam
- g. Motion to strike untimely production or

untimely or improperly designated expert report

- h. Motion for spoliation of evidence (If seeking sanctions up to and including adverse inference)
- i. Motion to withdraw admissions
- j. Motion for case ending sanctions
- k. Motions to extend discovery deadlines
- l. Motions for orders to show cause why a party should not be held in contempt for discovery abuses;
- m. Motion to strike expert based on admissibility.
- n. All of the above.
- o. None of the above.
- p. a - i only.

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CCBA CLE Article #10 Order Form

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Property and Support Claims for Same-sex Couples in Nevada after *Obergefell*

By Marshall S. Willick, Esq.

Legal background and issue

By 1996, the federal government and several states (including Nevada) had enacted Defense of Marriage Acts (“DOMAs”) prohibiting recognition of any same-sex marriage. In 2000, Vermont became the first state to provide legal recognition to same-sex relationships in the form of civil unions. In 2003, Ontario, Canada was among the first places to legalize same-sex marriage. Nevada recognized civil unions as of 2009, but required those entered into elsewhere to be registered here to get legal effect.

Nevada’s DOMA was overturned in *Latta v. Otter*, 771 F.3d 456 (9th Cir. 2014). The Supreme Court of the United States struck down all such laws in *Obergefell v. Hodges*, 576 U.S. 644, 135 S. Ct. 2584; 192 L. Ed. 2d 609 (2015).

Left unanswered was the legal effect of those decisions on the rights of parties who had entered into a civil union or marriage in places where it was allowed during the time that Nevada law barred recognition.

LaFrance v. Cline

Mary and Gail both had substantial assets when they moved in together in 1995 in Florida. They moved to Nevada in 1999; they kept all assets separate with the exception of a co-owned house.



Marshall S. Willick, Esq. is the Principal of the A/V-rated Willick Law Group and QDROMasters; 3591 East Bonanza Rd., Ste. 200, Las Vegas, NV 89110-2198. Phone: (702) 438-4100; fax: (702) 438-5311; e-mail: Marshall@WillickLawGroup.com.

Left unanswered was the legal effect of those decisions on the rights of parties who had entered into a civil union or marriage in places where it was allowed during the time that Nevada law barred recognition.

In 2000, they went to Vermont to get a civil union as a “political statement,” but never registered it in Nevada. In 2003, they married in Canada for the same reason. They broke up just before the *Latta* decision rendered them retroactively married. Gail sued for divorce.

The trial court found their “community” started in 2000, but divided between them all property acquired by either of them before or after that date, and ordered alimony. Mary appealed.


The appeal

After *en banc* argument, the Supreme Court of Nevada found that *Obergefell* required recognition of only marriages, not un-registered civil unions, but required retroactivity to the date of the 2003 Canadian mar-

riage, and remanded for regular community property principles, including tracing, to apply to all property acquired after that date. *LaFrance v. Cline*, No. 76161, Order Affirming in Part, Reversing in Part, and Remanding (Unpublished Disposition, Dec. 23, 2020).

Missed opportunities


Mary had argued that equal protection required that she have the same right that an opposite-sex party would have to hold property separately. Cohabiting opposite sex couples can choose to *not* pool their assets. If they decide to marry, they can enter into pre-marital agreements, and can agree after marriage to treat earnings as separate property. Mary claimed that all those rights to have her intentions recognized were denied to her when, in 2014, she was deemed retroactively married as of 2003.

The Court did not directly address the equal protection issue. The unpublished decision is not binding authority under NRAP 36. Therefore, reserved to some future case is the question of whether true equality requires an equal opportunity to choose how property should be treated, which was denied to same-sex couples prior to *Latta* and *Obergefell*. 


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Orders for recorded and alternative format CLE programs can be made online at ClarkCountyBar.org or via e-mail to CCBA Executive Director Donna Wiessner via Donnaw@clark-countybar.org.

For more information, see page 35.

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Price: \$25/CCBA member, \$50/Non-member

4. The Unauthorized Practice of Law – A Trap for the Unwary

Speaker: John Naylor, Esq. of Naylor & Braster

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CLE: 1.0 Ethics CLE Credit (NV)

Price: \$25/CCBA member, \$50/Non-member

5. Ethics Unbound and Unmasked

Speaker: Dennis L. Kennedy, Esq. of Bailey Kennedy

Recorded: 6/18/2021

Format: Audio/Video

CLE: 2.0 Ethics CLE (NV)

Price: \$50/CCBA member, \$100/Non-member

6. Ethical Landmines in Today's World & How to Avoid Them

Speaker: Rob Bare, Esq. of The Law Office of Rob Bare, PLLC

Recorded: 6/17/2021

Format: Audio/Video

CLE: 1.0 Ethics CLE Credit (NV)

Price: \$25/CCBA member, \$50/Non-member

7. What You Need to Know When Starting Your Own Firm

Speaker: Jennifer L. Braster, Esq. of Naylor & Braster

Recorded: 5/27/2021

Format: Audio/Video

CLE: .5 Ethics and .5 General CLE Credits (NV)

Price: \$25/CCBA member, \$50/Non-member

8. What Exactly Is The Unauthorized Practice of Law?

Author: John Naylor, Esq. of Naylor & Braster

Date: June/July 2021 (*Communiqué*)

Format: PDF file

CLE: 1 Ethics CLE Credit (NV)

Price: \$25 for CCBA member, \$50 for Non-Member

9. Bankruptcy Nuts and Bolts

Speaker: Marjorie Guymon of Goldsmith & Guymon

Recorded: 4/22/2021

Format: Audio/Video

CLE: 1.0 CLE Credit (NV)

Price: \$25/CCBA member, \$50/Non-member

10. The Disease of Addiction & Mental Health Awareness

Speaker: Mel Pohl, MD, DFASAM, Family Practitioner and Senior Medical Consultant, Landmark Recovery, Las Vegas

Recorded: 3/18/2021

Format: Audio/Video

CLE: 1.0 Substance Abuse CLE Credit (NV)

Price: \$25/CCBA member, \$50/Non-member

11. Gazed and Confused: Brief Overview of Administrative Procedures & Clues of DUI SFSTs: HGN, WAT, and OLS

Speaker: Lance J. Hendron, Esq. of Hendron Law Group, LLC

Recorded: 3/16/2021

Format: Audio/Video

CLE: 1.5 General CLE Credits (NV)

Price: \$40/CCBA member, \$80/Non-member

12. Lost in the Desert: Addiction & Recovery for Legal Professionals

Speaker: Douglas C. Crawford

Recorded: 10/21/2020

Format: Audio/Video

Price: \$25/CCBA member, \$50/Non-member

CLE: 1.0 Substance Abuse/Addiction/Mental Health (AAMH) CLE credit to Nevada lawyers

Price: \$25/CCBA member, \$50/Non-member

13. Ethics in Review: From the Desk of Bar Counsel

Speaker: Nevada Bar Counsel Dan Hooge

Recorded: 9/30/2020

Format: Audio/Video

CLE: 2.0 Ethics CLE credits (NV)

Price: \$50/CCBA member, \$100/Non-member

14. Practical Pre-Trial and Trial Tips

Speaker: Phillip S. Aurbach of Marquis Aurbach Coffing

Recorded: 9/25/2020

CLE: 1.0 General CLE Credit (NV)

Price: \$25/CCBA member, \$50/Non-member

15. Fraud Detection, Prevention, and Investigation

Speakers: Mark Rich, CPA, CFF and Joseph Garrett, CPA, CVA, CFE of Rich, Wightman & Company, CPAs, LLC

Recorded: 9/22/2020

CLE: 1.0 General CLE Credit (NV)

Price: \$25/CCBA member, \$50/Non-member

Special Offer

For CCBA members only

Spring CLE Bundle #1

***Offers 13.0 CLE Credits (NV)
For only \$200!***

CLE Programs included (no substitutions):

1. Practical Pre-Trial and Trial Tips
2. Fraud Prevention, Detection, and Investigation
3. Federal Faux Pas: The "Do's and Don'ts" of Federal Practice
4. Things You Have Wanted to Ask the Probate Commissioner
5. Highlights of the 2019 Legislative Session's Changes to Probate and Trust Law
6. Legislative Update from Attorneys Serving in the Nevada Legislature
7. Lost in the Desert: Addiction & Recovery for Legal Professionals
8. Ethics? Ethics? I Got Your Ethics Right Here
9. The Lawyer's Use of Social Media – A Look at Hot Topics and Trends

*Restrictions apply to the CCBA's CLE Library. See page 35.

CLE *continued on page 32*

Special Offer

For CCBA members only

CCBA CLE Passport

**Offers 13.0 CLE
Credits (NV)
For only \$200!**

The CCBA is an Accredited Provider with the Nevada Board of Continuing Legal Education.

*Restrictions apply to this offer. The 2021 CLE Passport is valid from January 1, 2021 to March 1, 2022, and is available only to members of the Clark County Bar Association (CCBA). CCBA membership must be renewed for the CLE Passport to remain valid from January through March during the upcoming membership years. This offer is non-transferable and limited to CCBA members for admittance to CCBA-sponsored CLE programs during the current calendar year. This offer does not include CLE programs not solely sponsored by the CCBA (e.g., co-sponsored by the State Bar of Nevada). The CLE Passport must be presented upon attendance of live program or upon ordering of audio/visual materials. Note: Use of the CLE Passport is subject to restrictions listed in CCBA's policy for rental and/or purchase of recorded CLE programs.

*Restrictions apply to the CCBA's CLE Library. See page 35.

CLE continued from page 31

16. Streamlined Bankruptcy Option for Small Business

Speakers: Candace Carlyon, Esq. and Dawn Cica, Esq. of Carlyon Cica Chtd.

Recorded: 8/13/2020

CLE: 1.0 General CLE Credit (NV)

Price: \$25/CCBA member, \$50/
Non-member

17. Federal Faux Pas: The "Do's and "Don'ts" of Federal Practice

Speakers: U.S. Magistrate Judge Brenda Weksler, David Chavez, Judicial Term Clerk, and Emily Gesmundo, Judicial Career Clerk

Recorded: 8/3/2020

CLE: 1.0 General CLE Credit (NV)

Price: \$25/CCBA member, \$50/
Non-member

18. Preparing a Better Depo- sition: Don't Let a Deposition Sink Your Case

Speakers: Mike Carman, Esq. and Corinne Price, Esq. of Fine Carman Price

Recorded: 7/28/2020

CLE: 1.5 General CLE Credits (NV)

Price: \$40/CCBA member, \$80/
Non-member

19. Nevada Prohibits Pre-Em- ployment Discrimination for Marijuana Use

Author: Bridget Kelly, Esq.

Date: Apr. 2020 (*Communiqué*)

Format: PDF (article and test)

CLE: 1 General CLE Credit (NV)

Price: \$45/CCBA member, \$75/
Non-member

20. Ethics? Ethics? I Got Your Ethics Right Here.

Speaker: Dennis Kennedy, Bailey Kennedy LLP

Recorded: 4/15/2020

CLE: 2.0 Ethics CLE Credit (NV)

Price: \$50/CCBA member, \$100/
Non-member

21. The Promises and Perils of Legal Negotiation: How Psy- chology Can Help

Speaker: Jean R. Sternlight, Saltman Professor, UNLV Boyd School of Law

Recorded: 1/28/2020

CLE: 2.0 General CLE Credits (NV)

Price: \$50/CCBA member, \$100/
Non-member

22. Things You Have Wanted to Ask the Probate Commis- sioner

Speaker: Probate Commissioner Wesley Yamashita, 8th Judicial District Court

Recorded: 12/10/2019

CLE: 2.0 General CLE Credit (NV)

Price: \$50/CCBA member, \$100/
Non-member

23. The Disease of Addiction - A Professional, Community, and Family Affair

Speakers: Kristine Kuzemka - Nevada Lawyer Assistance Program & LCL, Lance Wilson - District Court Executive - Retired

Recorded: 11/19/2019

CLE: 1.0 Substance Abuse/Addiction/Mental Health (AAMH) CLE Credit (NV)

Price: \$25/CCBA member, \$50/
Non-member

Special Offer

For CCBA members only

Summer CLE Bundle #2

Offers 13.0 CLE Credits (NV)
For only \$200!

CLE Programs included (no substitutions):

1. "The Disease of Addiction & Mental Health Awareness"
2. "Gazed and Confused: Brief Overview of Administrative Procedures & Clues of DUI SFSTs: HGN, WAT, and OLS"
3. "Streamlined Bankruptcy Option for Small Business"
4. "Bankruptcy Nuts and Bolts"
5. "Preparing a Better Deposition: Don't Let a Deposition Sink Your Case"
6. "The Promises and Perils of Legal Negotiation: How Psychology Can Help"
7. "How Not Be a Pebble in the Probate Commissioner's Shoe: Practice Tips and Pointers from the Viewpoint of the Probate Office"
8. "Don't be Scared by the Rules - Discovery, Spoliation, Claiming Privilege & Other Spooky Issues"
9. "Frightening Financial Transactions and How to Avoid Them"

*Restrictions apply to the CCBA's CLE Library. See page 35.

24. Frightening Financial Transactions and How to Avoid Them

Speaker: State Bar of NV Counsel Dan Hooge
Recorded: 10/29/2019
CLE: 2.0 Ethics CLE Credit (NV)
Price: \$50/CCBA member, \$100/Non-member

25. The Lawyer's Use of Social Media – A Look at Hot Topics and Trends

Speaker: John Naylor of Naylor & Braster Attorneys at Law
Recorded: 10/2/2019
CLE: 1.0 Ethics CLE Credit (NV)
Price: \$25/CCBA member, \$50/Non-member

26. Proportionality Primer: Federal Guidance for Understanding the 2019 Amendment to Nev. R. Civ. P. 26(b)(1)

Author: Andrew Sharples, Esq.
Date: Oct. 2019 (*Communiqué*)
Format: PDF (article and test)
CLE: 1.0 Ethics CLE Credit (NV)
Price: \$45/CCBA member, \$75/Non-member

27. Legislative Update from Attorneys Serving in the Nevada Legislature

Speakers: Lesley Cohen, Esq., Assemblywoman (District 29, Clark Cty.), Shea Backus, Esq., Assemblywoman (District 37, Clark Cty.), Edgar Flores, Esq., Assemblyman (District 28, Clark Cty.)
Recorded: 9/25/2019
CLE: 2.0 General CLE Credit (NV)
Price: \$50/CCBA member, \$100/Non-member

28. Highlights of the 2019 Legislative Session's Changes to Probate and Trust Law

Speakers: Jeffrey Luszeck and Alan Freer of Solomon Dwiggin & Freer, Ltd.
Recorded: 9/19/2019
CLE: 2.0 General CLE Credit (NV)
Price: \$50/CCBA member, \$100/Non-member

29. Beating Burnout: A Lawyer's Guide

Authors: By Carli L. Sansone, Esq. and Shann D. Winesett, Esq.
Date: June/July 2019 (*Communiqué*)
Format: PDF (article and test)
CLE: 1.0 Substance Abuse/Addiction/Mental Health (AAMH) CLE Credit (NV)
Price: \$45/CCBA member, \$75/Non-member

30. New Lawyers: Things They Didn't Tell You in Law School

Speaker: Dennis Kennedy, Bailey Kennedy LLP
Recorded: 5/13/2019
CLE: 2.0 Ethics CLE Credit (NV)
Price: \$50/CCBA member, \$100/Non-member

31. Delay Fees and the Montreal Convention

Author: Mark Severino, Esq.
Date: Apr. 2019 (*Communiqué*)
Format: PDF (article and test)
CLE: 1.0 General CLE Credit (NV)
Price: \$45/CCBA member, \$75/Non-member

32. Meet Your New Bar Counsel

Speaker: State Bar of NV Counsel Dan Hooge
Recorded: 3/7/2019
CLE: 1.5 Ethics CLE Credit (NV)
Price: \$40/CCBA member, \$80/Non-member

CLE continued on page 34

Note: Titles recorded in 2018 (and listed above in red font) will expire on December 31, 2021.



CLE *continued from page 33*

33. Preparing for the 2019 Tax Return Filing Season: Changes to the 2018 Tax Code

Speakers: Suzanne Warren of Silver Law PLC, and Taylor Randolph of Randolph Law Firm

Recorded: 12/5/2018

CLE: 1.5 General CLE Credit (NV)

Price: \$40/CCBA member, \$80/Non-member

34. Social Media & Professional Responsibility: Attorney Ethical Considerations

Speaker: John Naylor, Esq. of Naylor & Braster

Recorded: 11/14/2018

CLE: 1.5 Ethics CLE Credit (NV)

Price: \$40/CCBA member, \$80/Non-member

35. How Not Be a Pebble in the Probate Commissioner's Shoe

Speaker: EJDC Probate Commissioner Wesley Yamashita

Recorded: 11/8/2018

CLE: 1.5 General CLE Credit (NV)

Price: \$40/CCBA member, \$80/Non-member

36. Predatory Friending and Other Pitfalls for Lawyers Using Social Media

Author: John M. Naylor, Esq.

Date: Nov. 2018 (*Communiqué*)

Format: PDF (article and test)

CLE: 1 Ethics CLE Credit (NV)

Price: \$45/CCBA member, \$75/Non-member

37. Don't be Scared by the Rules - Discovery, Spoliation, Claiming Privilege & Other Spooky Issues

Speakers: EJDC Discovery Commissioner Bulla and John Aldrich of Aldrich Law Firm, Ltd.

Recorded: 10/30/2018

CLE: 1.5 Ethics CLE Credit (NV)

Price: \$40/CCBA member, \$80/Non-member

38. The Struggle for Sanity and Sobriety in the Legal Profession

Author: Alia A. Najjar, M.D., Esq.

Date: Sept. 2018 (*Communiqué*)

Format: PDF (article and test)

CLE: 1.0 Substance Abuse/Addiction/Mental Health (AAMH) CLE Credit (NV)

Price: \$45/CCBA member, \$75/Non-member

39. Hot Topics & Recent Developments in DUI/DWI Including Marijuana

Speakers: Robert F. Purdy of Law Office of Andrew M. Leavitt and Bruce W. Nelson of Clark County District Attorney's Office

Recorded: 7/19/2018

CLE: 1.5 General CLE Credit (NV)

Price: \$40/CCBA member, \$80/Non-member

40. Evictions Practice & Process

Speaker: LVJC Hearing Master David F. Brown

Recorded: 6/19/2018

CLE: 1.0 General CLE Credit (NV)

Price: \$25/CCBA member, \$50/Non-member

41. Designating Your Employee as a Non-Retained Expert- Are You Waiving the Attorney-Client Privilege?

Author: John M. Naylor, Esq.

Date: July 2018 (*Communiqué*)

Format: PDF (article and test)

CLE: 1 Ethics CLE Credit (NV)

Price: \$45/CCBA member, \$75/Non-member

42. Federal Income Tax Considerations in Divorce Cases

Speakers: Chris J. Sheldon and Suzanne M. Warren of Silver Law PLC

Recorded: 5/18/2018

CLE: 1.5 General CLE Credit (NV)

Price: \$40/CCBA member, \$80/Non-member

43. Ethics: Current Topics for New (and Not So New) Lawyers

Speaker: Dennis Kennedy, Bailey Kennedy LLP

Recorded: 5/9/2018

CLE: 1.5 Ethics CLE Credit (NV)

Price: \$40/CCBA member, \$80/Non-member

Don't delay Order today

Make your order now, and complete the CLE program(s) BEFORE December 25, 2021, so we have enough time to report your attendance to the Nevada CLE Board.

Orders for recorded and alternative format CLE programs can be made online at ClarkCountyBar.org or via e-mail to CCBA Executive Director Donna Wiessner via Donnaw@clarkcountybar.org. For more information, see page 35.

CCBA CLE Library Order Form

Attendee information (Must include e-mail address for delivery of CLE programs):

Name: _____ NV Bar #: _____

E-mail Address: _____

Firm / Co Name & Address: _____

Choice of CLE programs (individual titles):

Title: _____ Price: \$ _____

Title: _____ Price: \$ _____

Title: _____ Price: \$ _____

Title: _____ Price: \$ _____

If more programs are needed to be listed for this order, use an additional form. Or better yet, send the full list of programs via e-mail to donnaw@clarkcountybar.org.

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Recorded programs are presented in the following formats: MP3 (audio), and MP4 (video). For MP3/MP4 orders, materials will be provided via e-mail with a hyperlink for the user to download the requested title(s) and the supporting educational material. Electronic files (MP4, MP3, PDF) do not have to be returned.

It is the program attendees' responsibility to report their completion of each program to the CCBA. Upon completion of a CCBA CLE program by a Nevada bar member, the CCBA will submit their record of attendance directly with the Nevada Board of Continuing Legal Education and send a confirmation of the filing to the attendee via email. If the attendee has attended the live program or previously viewed any of these titles, CLE credit will not be awarded again. Additional restrictions may apply.

Spring CLE Bundle #1 and Summer CLE Bundle #2 include a specific set of CLE programs with no substitutions available.

Choice CLE programs (grouped and for CCBA members only):

- ☐ 2021 CCBA CLE Passport @ \$200
- ☐ Spring CLE Bundle #1 @ \$200
- ☐ Summer CLE Bundle #2 @ 200

Total Amount Enclosed: \$ _____

Payment type:

- ☐ I want to use my pre-paid 2021 CCBA CLE Passport towards this order
- ☐ Check or money order
- ☐ Cash (exact amount only)
- ☐ Credit card* (select): Mastercard • VISA • AMEX
 - ☐ I will call CCBA with my credit card information or
 - ☐ I authorize the CCBA to charge my credit card:

Name of card holder: _____

Credit Card #: _____

Expiration date: _____ Phone #: _____

Authorized Signature: _____

Contact email: _____

Submit order with payment to Clark County Bar Association, 717 S. 8th Street, Las Vegas, NV, 89101. Phone: 702-387-6011. Fax: (702) 387-7867.
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Spread the Word Nevada is a 501c3 nonprofit dedicated to advancing childhood literacy. They rely on the generous support of individuals, local businesses and organizations to provide new and gently used books to students across Nevada who can't afford their own.

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Donate books and help to place books into the hands of children & positively impact their lives with the magic of reading!

Guidelines for books:

- New or gently used books are welcomed
- PreK - 5th grade reading levels preferred
- No encyclopedias, coloring books or books with a library's Dewey decimal tag on them please

Drop-off books by 12/31/2021:

Clark County Bar Association, 717 S. 8th Street, Las Vegas, NV 89101

Thank you!

Affordable Health Insurance for Association Members

Choose Association Health Plans for Better Rates!

Clark County Bar Association members with 2 (unrelated) to 50 full-time employees can now offer insurance coverage for their employees and their families with a high-quality, affordable Association Health Plan from Prominence.

Not an Association member? Enroll at www.clarkcountybar.org

Large Group Benefits for Small Employer Groups

- A range of coinsurance options
- Copays for widely used benefits like PCP visits, specialists and lab services
- Statewide HMO open access
- National PPO network access

Employers Have Options... and Flexibility

- Choose from six health plan options, including HSA-qualified - see reverse
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PARTICIPATING AREAS INCLUDE: Clark County and Nye County

PROMINENCE ASSOCIATION HEALTH PLANS

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Plan Highlights You Don't Want to Miss!

- **NEW! wellPORTAL Primary Care Provider Network** - Members can earn up to \$120 annually for getting the care they need from the region's top doctors.
- **National Network** - Prominence has partnered with Cigna to allow access to a national network for use outside of Nevada for members enrolled in either a POS or PPO health plan.
- **Teladoc** - 24/7 care via telephone or video from licensed physicians, psychiatrists, and counselors for a \$0 cost share. Note, High Deductible Health Plans are subject to deductible first and benefits will be rendered at the contractual service rate.

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CLARK COUNTY BAR ASSOCIATION BENEFIT GUIDE FOR 2021/2022

Now with \$0 access to the wellPORTAL primary care network!

Statewide HMO with no specialist referrals for members; benefits listed below are in-network;

* indicates plans with national network access outside Nevada

PLANS RENEW OCTOBER 1, 2022

GROUPS CAN CHOOSE UP TO THREE ASSOCIATION HEALTH PLANS TO ENROLL

In-Network Benefits	HMO 1000	HMO 4000	HMO 7000	POS 1000 HMO/PPO*	POS 4000 HMO/PPO*	POS 7500 HMO/PPO*	PPO HDHP 6900* ¹
Calendar Year Deductible (CYD)							
Individual	\$1,000	\$4,000	\$7,000	\$1,000/\$1,500	\$4,000/\$4,000	\$7,500/\$7,500	\$6,900
Family	\$3,000	\$8,000	\$14,000	\$2,000/\$3,000	\$8,000/\$8,000	\$15,000/\$15,000	\$13,800
Coinsurance							
	20%	30%	50%	20%/20%	30%/30%	30%	0%
Out-of-Pocket Maximum							
Single	\$4,000	\$7,100	\$8,150	\$4,000/\$6,500	\$7,300/\$8,000	\$8,550/\$8,550	\$6,900
Family	\$8,000	\$14,200	\$16,300	\$8,000/\$13,000	\$14,600/\$16,000	\$17,100/\$17,100	\$13,800
Provider Office Visits							
Telemedicine - Teladoc	\$0 copay	\$0 copay	\$0 copay	\$0 copay	\$0 copay	\$0 copay	CYD/\$0 copay
Primary Care Provider (PCP)	\$25 copay	\$35 copay	\$35 copay	\$15/\$30 copay	\$30/\$60 copay	\$30/\$60 copay	CYD/0%
wellPortal Primary Care	\$0 copay	\$0 copay	\$0 copay	\$0 copay	\$0 copay	\$0 copay	N/A
Specialist	\$50 copay	\$70 copay	\$70 copay	\$30/\$60 copay	\$60/\$90 copay	\$60/\$90 copay	CYD/0%
Emergent/Urgent Care							
Ambulance – Ground & Air	\$250 copay per trip	\$500 copay per trip	\$1,000 copay per trip	\$250 copay per trip	\$1,000 copay per trip	\$1,500 copay per trip	CYD/0%
Emergency Room	\$500 copay	\$1,000 copay	\$1,000 copay	\$500 copay	\$1,000 copay	\$1,500 copay	CYD/0%
Urgent Care	\$50 copay	\$70 copay	\$70 copay	\$50/\$100 copay	\$50/\$100 copay	\$50/\$100 copay	CYD/0%
Hospital/Facility/Surgical							
Outpatient Surgical	\$250 copay	\$1,000 copay	\$1,000 copay	\$250 copay/ CYD 20%	\$1,000 copay/ CYD 30%	\$1,500 copay/ CYD 30%	CYD/0%
Inpatient Hospital	CYD/\$1,000 copay	CYD/30%	CYD/50%	CYD \$1,000/ CYD 20%	CYD 30%/CYD 30%	CYD 30%/CYD 30%	CYD/0%
Pharmacy							
FDA-approved Preventive	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Generic/Brand/Non-Brand	\$25/\$50/\$75	\$25/\$50/\$75	\$25/\$50/\$75	\$25/\$50/\$75	\$25/\$50/\$75	\$25/\$50/\$75	CYD/0%
Specialty	20%	20%	20%	20%	20%	20%	CYD/0%
Radiology							
Routine X-Ray & Diagnostic	\$25 copay	\$35 copay	\$35 copay	\$15/\$30 copay	\$30/\$60 copay	\$30/\$60 copay	CYD/0%
CT Scan & MRI	\$250 copay	\$1,000 copay	\$1,000 copay	\$250 copay/ CYD 20%	\$1,000 copay/ CYD 30%	\$1,500 copay/ CYD 30%	CYD/0%
Complex Diagnostic	\$250 copay	\$1,000 copay	\$2,000 copay	\$250 copay/ CYD 20%	\$1,000 copay/ CYD 30%	\$1,500 copay/ CYD 30%	CYD/0%
Maternity							
Prenatal Care & Delivery	\$200 copay per delivery	\$200 copay per delivery	\$200 copay per delivery	\$200 copay/CYD 20% per delivery	\$200 copay/CYD 30% per delivery	\$200 copay/CYD 30% per delivery	CYD/0%
Delivery Room & Well-baby Hospital	CYD/\$1,000 copay	CYD/30%	CYD/50%	CYD \$1,000 copay/ CYD 20%	CYD 30%/CYD 30%	CYD 30%/CYD 30%	CYD/0%
Mental Health/Alcohol & Drug Abuse Services							
Inpatient	CYD/\$1,000 copay	CYD/30%	CYD/50%	CYD \$1,000/ CYD 20%	CYD 30%/CYD 30%	CYD 30%/CYD 30%	CYD/0%
Outpatient	\$250 copay	\$1,000 copay	\$1,000 copay	\$250 copay/ CYD 20%	\$1,000 copay/ CYD 30%	\$1,500 copay/ CYD 30%	CYD/0%
Office Visit	\$25 copay	\$35 copay	\$35 copay	\$15/\$30 copay	\$30/\$60 copay	\$30/\$60 copay	CYD/0%
Lab and Pathology							
	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	CYD/0%
Pediatric Dental & Vision - Diagnostic and Preventive (up to age 19)							
	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge

¹ High Deductible Health Plans are subject to deductible first and benefits will be rendered at the contractual rate based upon type of service.

Refer to the Summary of Benefits document for benefit details, limitations and exclusions. This document is for plan comparison purposes only.

Change Your Life As Well

By Alison Brasier, Esq.

In 2011, I felt a calling to give back to our community and so I applied to be a CASA (Court-Appointed Special Advocate) volunteer for kids in foster care.

CASA volunteers serve a unique function in the foster care system in that the CASA's role is to advocate in the "best interests of the child." CASA volunteers do not have a "client" or a position that they must advocate for. Instead, CASA volunteers build relationships with the child/children, family services and support professionals, attorneys for the child and parent(s), and foster and biological family members to advocate for what the volunteer thinks is best for the child/children.

Over the past 10 years, I have worked to ensure a group of six siblings – who were in separate foster care placements – had consistent visits with each other to maintain their sibling relationships. I supported foster parents of a drug-addicted newborn to ensure that they

had proper resources to care for the child who they ultimately adopted. I worked with a sibling group of three to obtain the therapy and support they needed to regain normalcy in their lives after being abused. And, in my most recent assignment, I had the privilege of working with an amazing young lady who eventually "aged out" after being in foster care for 7 years – and who against all odds graduated high school and is starting her first semester of college this fall.

As a CASA volunteer in each of these cases, I was able to be a voice for "my kids" and to speak up for their needs – in a system where all too often they are left voiceless and powerless.

CASA volunteers are often the only role model or supportive adult that kids in foster care have ever – or will ever – encounter. Providing that support and positivity can change a child's life forever, and it will certainly change yours as well.

©



Alison Brasier is a founding partner of Hicks & Brasier, a Plaintiff's Personal Injury law firm. She loves representing injured individuals and giving them a voice in our civil justice system. She has been a CASA volunteer since 2011.

Services

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The Smith Center
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**SILENT AUCTION
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This event is open to attendance by Nevada's judges, attorneys, paralegals, legal secretaries, law students, merchants, and candidates.

This is a private cocktail reception; no minors allowed. Business casual attire acceptable.

For more info, see page 12.

Clark County Bar Association (CCBA) presents

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MIXER**



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