

Bar Luncheon Featuring DICE CLE Program

Thursday, October 26, 2023

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THE OFFICIAL PUBLICATION OF THE CLARK COUNTY BAR ASSOCIATION

SEPTEMBER 2023

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The Legislative Update Issue



Veteran & Military Ask-A-Lawyer Event Highlights

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- Construction
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- Highway Construction
- Employment and Labor
- Probate and Trust Law

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Veterans & Military Ask-A-Lawyer participants
Top row, left to right: Bruce Young, Christena Georgas-Burns, Michael Wendlberger, David Straus, Phil Su. Bottom row, left to right: Ciara (Keira) Clark, Ashlee Vazquez, Dawn Jensen, Todd Weiss, Constantina Rentzios. Photo courtesy of David Martinez.



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THE OFFICIAL PUBLICATION OF THE CLARK COUNTY BAR ASSOCIATION

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Editorial Calendar

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May 2023	Natural Resources	4/1/2023
June/July 2023	Membership Matters	5/1/2023
August 2023	Real Estate	7/1/2023
September 2023	Legislative Wrap-up	8/1/2023
October 2023	Gig Economy	9/1/2023
November 2023	Gaming Law	10/2/2023
December 2023	Pro Bono	11/1/2023

*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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Attorney Memorial Service on September 8, 2023

Members of the bar are invited to attend a special event to honor Nevada attorneys who have passed on during the last year. This year’s event will be held:

- Friday, September 8, 2023
- Service begins at 3:00 p.m. Reception immediately following.
- Lloyd D. George U.S. Courthouse, Courtroom 6C, 333 Las Vegas Boulevard South, Las Vegas, Nevada

The annual attorney memorial services is produced by the Clark County Law Foundation (CCLF) 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.

For more information, contact Patrick at the CCLF, (702) 333-8877.

Client Counseling Competition on October 20-21, 2023

Volunteers needed

Members of the Nevada bar and bench are needed to judge the 25th Annual Client Counseling Competition. This year’s event will be held:

- Friday October 20: 6:00pm-8:30pm
- Saturday October 21: 9:00-10:30am
- UNLV William S. Boyd School of Law


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.

First and second year students form teams of two and consult with a mock client. The mock client has been given a detailed fact pattern to work from. The student-teams do not know this fact pattern, and it is their goal to elicit as many facts and issues during a 15-minute interview of the mock client. Points are also awarded for maintaining a professional demeanor throughout.

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.

Each student-team will have roughly 15 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 should be Nevada attorneys, judges or mediators. Judging the competition qualifies as pro bono service!

For more information and to sign up to judge the competition, contact CCBA New Lawyers Chair Alexandra Matloff at alexandra.matloff@knchlaw.com. 

Fun. But Without Setting the World on Fire.

By *Brandon Kemble, Esq.*

If you have heard me talk about the CCBA (if you haven't that puts you in rare, some might say lucky, company), you know that I refer to the CCBA as the "fun bar." Sure, that's me trying to get over on the other bar associations and rub in that we have the best members and the best events, but my insistence on having fun as a bar association is more than that.

I've been fortunate to have the chance to speak to some of the new admittees to our bar at the swearing in ceremony. I share two important ideas with the new members of our bar. The first thing I tell them about is our unique legal community. Clark County presents new admittees with exciting legal and business opportunities in one of the most dynamic, fast-paced, and growing regions in the country. I emphasize that our bar thrives in this environment while preserving the best parts of a once small state legal community. I tell them, sincerely, that we are colleagues, we are friends, and I introduce them to the special collegiality and civility here. And I ask them to help us keep it that way.

The next thing I do is deliver the real exciting news. I let them in on the secret sauce, and the "effort" that will be required to keep our bar what it is. I believe that the effort required to be a more collegial and civil lawyer, and to having a bar that is the envy of most others—is fun. The key to civility and collegiality is fun. It's having fun with the members of this bar.

I believe that the effort required to be a more collegial and civil lawyer, and to having a bar that is the envy of most others—is fun.

I have found that it is hard to be uncivil to someone that I have high-fived at a Knights or Aviators game. And while it may have seemed mean at the time, I find it hard to be mean to someone who has sat next to me and overheard me singing along at a musical at the Smith Center, or who I have had lunch with at a midday CLE, or who I have walked with on a charity 5k.

And I really find it hard to be uncivil with the folks I've done some bar crawls with. It's just hard to be uncivil to someone you have had fun with, and it's harder for them, too.

The lawyers who make up the CCBA already know this to be true. But it never hurts to put a little focus on it. And it sure doesn't hurt to have a good time. We have some great events coming up over the next few months, none more epic or fun than our annual Meet Your Judges Mixer on September 7, 2023, from 5:30 to 8:30 at The Las Vegas Country Club. I hope you'll join me to have some fun with the members of your legal community soon. **C**



Brandon Kemble is an Assistant City Attorney in the Civil Division with the City of Henderson. Brandon handles litigation for the City and provides legal advice and legislative support for various City departments. Brandon serves as the CCBA President through December 2023.



Special event

32nd Annual

MEET YOUR JUDGES MIXER

Thursday, September 7, 2023 • 5:30 p.m. to 8:30 p.m.

Private event featuring appetizers, refreshments, networking, and silent auction

Get details and RSVP at <https://clarkcountybar.org/>, (702) 387-6011

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Live Lunchtime Learning CLEs Free for CCBA Members

The CCBA offers live webcasts of CLE programs free for current members most months of the year. Last month, in “Cybersecurity for Law Firms,” David Shultis, President and Partner at RedPanda Systems, presented information relevant to these topics:


- Importance of Cybersecurity for Law Firms
- Threats to Law Firms and Their Data
- Data Compliances and Standards for Law Firms
- How to Protect Your Data

The program offered 1.0 CLE credit and was presented live via Zoom on August 10, 2023. The program was recorded and is now available for use in the CCBA's audio/visual CLE library for rental use at a small fee (to cover administrative costs). All of the CCBA's CLE programs—live or recorded—include CLE attendance reporting to the NV CLE Board.

Upcoming Lunchtime Learning CLE

Moving In or Moving Out: Landlord Tenant Law in NV

- **Speakers:** Alex Cherup, Esq. of Nevada Legal Services and Nick Haley, Esq. of Legal Aid Center of Southern Nevada
- **Date:** November 2, 2023
- **Time:** 12 to 1:15 pm
- **Where:** Online via Zoom
- **Credits:** 1.0 General CLE Credits (NV)
- **Price for Live webcast (via Zoom):** FREE for CCBA Members (2023) only
- **Price for recorded materials rental:** \$25/CCBA Member or \$50/non-member

For more information and to make an order for recorded CLE programs, visit <https://clarkcountybar.org/marketplace/cle-programs/> or reach out to Donna at donnaw@clarkcountybar.org, or 702-387-6011. 



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Bar Activities



Bar Luncheon Highlights

The CCBA's Board of Directors and staff are grateful to all who attended the Clark County Bar Luncheon held inside MacKenzie River Pizza at City National Arena on August 9, 2023.


Special thanks to guest speaker **Chip Seigel III**, Chief Legal Officer of the Vegas Golden Knights. Chip presented a legal perspective of hockey and his role with the local NHL team.

Special thanks to event sponsors:

- **Sarah Guindy** of Bank of Nevada
- **John Burke** of First Legal
- **Donisha Thurman** of Thurman & Assoc Nurse Consulting
- **Nick Nordiello** of Worldwide Litigation Service
- **Deborah Schuff** of Junes Legal Service, Inc.

Bar Luncheon Set for October 26, 2023

All members of the Nevada bar and bench are invited to attend the Clark County Bar Luncheon, hosted by the CCBA Diversity and Inclusion Committee for Equity (DICE), on Thursday, October 26, 2023. This special event will include a special presentation of "Diversity in Action: Recruiting a Diverse Workforce," a DICE CLE program featuring a dynamic discussion with notable members of Nevada's legal community. The event will offer lunch, networking, and 1.0 hour of Ethics CLE for members of the State Bar of Nevada.

RSVP to the CCBA is required by October 19, 2023. Contact the CCBA office at (702) 387-6011 or visit <https://clarkcountybar.org/> for more information and to RSVP. 

CCBA President Brandon Kemble and VGK Chief Legal Officer Chip Seigel at City National Arena.

Brandon Kemble and Paul C. Ray with Paul's new authentic NHL hockey stick signed by VGK player Adin Hill.

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Special event!

All members of the Nevada Bar & Bench are invited to attend

Clark County Bar Luncheon

Featuring a special presentation of

"Diversity in Action: Recruiting a Diverse Workforce"

*A dynamic discussion with notable members of
Nevada's legal community hosted by
CCBA's Diversity and Inclusion Committee for Equity (DICE)*

Thursday, October 26, 2023 • 12:00-1:15 PM

Lunch • Networking • 1.0 hour of Ethics CLE (NV)

Details to be announced soon!

RSVP to the Clark County Bar required by 10/19/2023

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Civil Bench-Bar Meeting

All interested counsel are invited to attend the Eighth Judicial District Court's Civil Bench-Bar Meeting.

- **When:** Tuesday, September 12, 2023
- **Time:** 12:00 p.m. to 1:00 p.m.
- **Where:** Regional Justice Center, Courtroom 10D or online via Zoom. Zoom hosted by: Lincoln, Gustafson & Cercos

Probate Bench-Bar Meeting

Members of the probate bar are invited to attend the Eighth Judicial District Court's Probate Bench-Bar Meeting.

- **When:** Thursday, September 14, 2023
- **Time:** 12:00 p.m. to 1:00 p.m.
- **Where:** Regional Justice Center, Courtroom 10D and online via Bluejeans at <https://bluejeans.com/133092842/6724>.

Las Vegas Justice Court Administrative Order #23-05

On July 9, 2023, Chief Justice of the Peace Cynthia Cruz of the Las Vegas Justice Court filed an order in the administrative matter regarding Photographing, Filming, and Recording Non-Proceedings Within Public Areas of the Las Vegas Justice Court. See LVJC Administrative Order #23-05.

The order states that photography, filming, or recording in the public areas of the Las Vegas Justice Court is strictly prohibited except as authorized by the Chief Judge of the Las Vegas Justice Court or of the Las Vegas Justice Court Administrator. The order includes definitions, locations, and penalties for violations of the rule. Additionally, the order states,

In the event of a conflict between this Administrative Order and Eighth Judicial District Court Administrative Order #23-04, the provisions of the Eighth Judicial District Court Administrative Order #23-04 shall be controlling.

The order became effective immediately and shall remain in effect unless and until (1) this Administrative Order is rescinded or (2) the Las Vegas Justice Court enacts a local rule which supersedes this Administrative Order.


For more information about the exceptions and to read the full text of the order, review the LVJC AO #23-05, available from the court's website at <https://www.lasvegasjusticecourt.us/>.

North Las Vegas Justice Court Admin Order #2023-01

On August 14, 2023, the North Las Vegas Justice Court filed an order in the administrative matter re: mandatory electronic filing. See Administrative Order #2023-01.

The North Las Vegas Justice Court is requiring mandatory e-filing for all new civil cases as well as subsequent pleadings filed by an attorney, effective October 2, 2023. This project aims to use technology to improve service to the public, expand access, save time, and reduce the use of paper. Self-represented litigants are exempt from this obligation and will be assisted by court staff.

There is no fee for e-filing except for convenience fees associated with payments made via debit or credit card. Frequent filers are encouraged to request a deposit account for the payment of filing fees.

For information on how to request an e-filing and/or deposit account, visit the court's eFile page at https://www.clarkcountynv.gov/government/departments/justice_courts/jurisdictions/north_las_vegas/efile.php. 

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View from the Bench 2023

By Chief Judge Cynthia Leung

Las Vegas Municipal Court has been in operation for over 100 years, and while it may have had humble beginnings, it also has a long tradition of innovation and service. In 1982, the court created the Alternative Sentencing and Education Department, designed to address defendant accountability, recidivism, and public safety by methods other than incarceration. It is from this foundation that our Specialty Court Programs were born.

In 2004, Judge Cedric Kerns launched the first Specialty Court program, HOPE Court. Habitual Offender Prevention and Education (HOPE) Court, now run by Judge Bert Brown, was created to reduce arrests among chronic offenders. The original twenty-five participants in this program had been arrested a combined total of 8,114 times at the time they entered into the program. This first program was a collaboration between the courts, community partners, and the Las Vegas Metropolitan Police Department.

Today, Las Vegas Municipal Court is the largest municipal court in the state of Nevada and the programs now offered have been developed to meet the diverse needs in our ever-growing community. Each of our judges and hearing commissioner preside over a specialty court program in addition to handling daily criminal dockets and civil traffic matters.

I preside over **Women in Need of Change (WIN) Court**, which focuses on female offenders who have a history of trauma, substance use disorders, and co-occurring mental health issues. Many of the women who enter

Today, Las Vegas Municipal Court is the largest municipal court in the state of Nevada and the programs now offered have been developed to meet the diverse needs in our ever-growing community.

this program are victims of human trafficking, and severe neglect and abuse from childhood. Our goal is to create a path to self-worth by creating individualized treatment plans, trauma counseling, and job training. The graduates are often reunited with family and children.

Judge Susan Roger presides over the **DUI Court** program which addresses those with multiple driving under the influence of alcohol or drug offenses. Participants are clinically evaluated and must commit to a treatment program of at least 52 weeks. This program focuses on changing drinking and driving behaviors to save lives.

Judge Cara Campbell presides over the **Mental Health Court** program which focuses on identifying and addressing the needs of defendants that have been diagnosed with a severe mental illness. This program assists with on-going counseling, treatment, medication monitoring, stabiliza-



The Honorable Chief Judge Cynthia Leung is the first Chinese-American woman elected as Las Vegas Municipal Court Judge and has presided over Las Vegas Municipal Court Department 1 since 2008. Chief Judge Leung has served as President of Nevada Judges of Limited Jurisdiction (2014) and was named 2015 Judge of the Year by the Nevada Judges of Limited Jurisdiction. She has been recognized for her successful work with Women in Need of Change (WIN) Court program.

tion and access to community support. The Mental Health program seeks to reduce the number of arrests and hospitalizations, for its participants, and also strives to build bridges between families and resources.

Judge Bert Brown presides over **HOPE Court**. HOPE Court provides intensive supervision, counseling, and guidance as its participants work to make different choices for themselves. Many are experiencing homelessness and are diagnosed with a substance use disorder. This program targets the cycle of addiction and criminal offenses and seeks to guide its graduates to living independently and working.

Judge Cedric Kerns created and presides over **YO Court** – Youth Offender Drug Court. YO Court addresses the issues of the younger adult with active cases in the municipal court system. This program utilizes creative and cutting edge treatment modalities, and requires the family or a supportive family member to participate in the intensive therapeutic process. Understanding and addressing this component is key to the success of the participant, who also receives counseling with substance use disorders, mental health issues, job training, and placement.

Judge Kelly Giordani presides over the **Veteran's Treatment Court** which operates in collaboration with

the Veteran's Administration to help connect participants with housing, medical, mental health, and substance abuse services. This program addresses specific issues unique to our men and women who have bravely served our country.





Hearing Commissioner Shannon Nordstrom presides over the **FRESH START** program, which is specifically designed to identify those defendants who are unsheltered or moving through homelessness. The goal of FRESH START is to address the underlying life issues that led to being unsheltered, and help individuals connect to community resources in order to attain stable housing, stable income, and to break the cycle of cite, arrest, and incarceration.

Commissioner Nordstrom also presides over the **PST** program. The Psychiatric Stabilization and Treatment program seeks to assist those in immediate crisis needing stabilization, triage, and referral to specialty court programs if appropriate.

All of our specialty court programs have the common goal of teaching the participants new tools and life skills to make different choices, and thereby reclaim their dignity and self-worth. In many cases, upon successful graduation, the cases are dismissed and the participant's criminal records in the City of Las Vegas are sealed. **G**

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Spotlighting Legislative Updates

This issue of the *Communiqué* features select highlights related to recent legislation passed during the 82nd Session of the Nevada Legislature (2023). Authors were instructed to limit their submissions due to space constraints of the printed publication.

Read updates related to these areas of practice are found on pages 16-26:

- Public Finance
- Land Use & Zoning
- Tax
- Construction
- Public Works Construction
- Highway Construction
- Employment and Labor
- Probate and Trust

Public Finance

Bill #: SB1

SB1 provides a \$380 million public financing package for the construction of a Major League Baseball stadium. The package includes a combination of transferable tax credits, county general obligation bonds backed by a sports and entertainment tax district at the stadium site, and county credits. The legislation requires the baseball club to make annual financial contributions and other commitments pursuant to a community benefits agreement and restricts the location of the stadium to the current location of the Tropicana Hotel & Casino. The package is contingent on relocation approval by Major League Baseball.

Effective Date: Varies by section

Submitted by: Josh Hicks, Chair, Government Affairs & Advocacy Group, McDonald Carano LLP

Updates *continued on page 18*

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Highway Construction

Bill #: SB107

This bill establishes the requirement for NDOT to establish a program whereby a contractor may request the use of an unmanned highway patrol vehicle with operable flashing lights as part of the contractor's safety operations and traffic control.

Effective Date:
Upon passage and approval (now)

Submitted by: Philip Mannelly, Attorney, Construction Law & Litigation Practice, McDonald Carano LLP

Tax

Bill #: AB448

Pursuant to NRS 375.090(1), a change in the identity, form, or place of organization of a business entity that owns real property is exempt from the Real Property Transfer Tax. That exemption is modified by AB448 and no longer applies "if the business entity to which the real property is transferred was formed for the purpose of avoiding [the Real Property Transfer Tax]."

Effective Date: June 15, 2023

Submitted by: Josh Hicks, Chair, Government Affairs & Advocacy Group, McDonald Carano LLP

Land Use & Zoning

Bill #: AB213

AB213 makes various changes to Chapter 278 with respect to residential housing. It includes a declaration of legislative intent regarding the importance of a robust housing supply. It requires local governments to measure and publicize on their website the length of time land use applications are pending. Local governments must prepare an annual report addressing expected affordable and market rate housing needs. The bill prohibits local governments from using a preliminary application process to circumvent statutory time frames and requires specific explanations for applications rejected as incomplete. Finally, it requires the prioritization of applications for affordable housing projects.

Effective Date:
January 1, 2024, for section 1.3;
July 1, 2023, for all other sections

Submitted by: Josh Hicks, Chair, Government Affairs & Advocacy Group, McDonald Carano LLP

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Construction

Bill #: AB23

A contractor subject to potential citation from the Contractors Board may request an informal conference with the Board to attempt to achieve a settlement resolution before proceeding to a formal hearing. A contractor must request an informal conference with 15 days of service of the citation at issue. The Board must hold a hearing within 90 days of receipt of written notice of contest in certain instances.

Effective Date: Applies to citations issued after October 1, 2023

Submitted by: Philip Mannelly, Attorney, Construction Law & Litigation Practice, McDonald Carano LLP

Construction

Bill #: AB29

Each application for a contractor's license requires certain references to verify the applicant's experience. This law establishes that it would be a violation of licensing laws for a licensee (licensed contractor) to make any false or misleading statement, or omit a material fact, on the reference source for another's licensure application.

Effective Date: Upon passage and approval (now)

Submitted by: Philip Mannelly, Attorney, Construction Law & Litigation Practice, McDonald Carano LLP

Updates *continued on page 22*



Steven Kitnick

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Steven Kitnick has provided case reviews, consultations, initial expert opinion reports, supplemental reports, &/or rebuttal reports on behalf of retaining counsel at:

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Construction

Bill #: AB27

Previously, the licensing laws merely required that a general building contractor could contract to provide management and counseling services on a construction project for a professional fee, regardless of the licensure classification(s) required by the prime contractor on that project. Now, a general building contractor that will provide management and counseling services must hold the applicable contractor's license(s) that would be required by the prime contractor on the project.

Effective Date: Upon passage and approval (now)

Submitted by: Philip Mannelly, Attorney, Construction Law & Litigation Practice, McDonald Carano LLP

Public Works Construction

Bill #: SB82

This bill revises provisions related to the Apprentice Utilization Act. Currently, each contractor or subcontractor must ensure that a certain percentage of hours worked within each apprenticed craft is performed by an apprentice(s) on each public work—three percent on horizontal projects and ten percent on vertical projects. Now, the required percentages must be achieved across all public works performed by each contractor throughout a calendar year, rather than on each public work. SB82 also creates various penalties for non-compliance and what constitutes a “good faith effort” that may otherwise incur a penalty for non-compliance.

Effective Date: January 1, 2024

Submitted by: Philip Mannelly, Attorney, Construction Law & Litigation Practice, McDonald Carano LLP

Highway Construction

Bill #: SB85

This bill revises provisions related to the retention that may lawfully be withheld by the Nevada Department of Transportation. Previously, the Department may withhold payment of two and a half percent of the entire contract amount until the entire contract is completed and satisfactorily accepted by the director of the Department. Now, the Department may withhold five percent of the entire contract but not more than \$50,000.

**Effective Date:
Upon passage and approval (now)**

Submitted by: Philip Mannelly, Attorney, Construction Law & Litigation Practice, McDonald Carano LLP

Updates *continued on page 24*



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Employment and Labor

Bill #: AB163

AB163 expands Nevada's existing domestic violence leave law set forth in NRS 608.0198 to an employee who is a victim, or whose family or household member is a victim, of sexual assault (as defined by NRS 200.366). Leave must be used within 12 months and may be used consecutively or intermittently. Employers are prohibited from requiring an employee to find a replacement worker and retaliating against any employee using available leave. Employers must also post the Labor Commissioner's bulletin describing these benefits.

Effective Date: January 1, 2024

Bill #: SB147

SB147 amends (a) the definition of "wages" under NRS 608.012 to include amounts due to an employee placed on "nonworking status," and (b) NRS 608.040, Nevada's waiting time penalty statute, to include these amounts. SB147 defines "nonworking status" as a temporary layoff where the employee remains employed and may be called back to work by the employer at a future date. It does not include employees who are (a) on suspension pending an employment-related investigation, (b) on suspension pursuant to a disciplinary action, (c) on-call for available work, or (d) on an approved leave of absence.

Effective Date: July 1, 2023

Submitted by: Kristen T. Gallagher, Co-Chair, Employment & Labor Law Practice, McDonald Carano LLP



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Health Care

Bill #: SB172

Passing SB172, Nevada minors have the explicit right to consent to sexual health preventive care, such as PReP and Gardasil, for the prevention of HIV and HPV, respectively. Previously, NRS 129.030 and 129.060 allowed for consent for testing, treatment, and services. Nevada is the 15th state to add “prevention” to minors’ consent to care laws. In the US, 22 percent of newly infected HIV individuals are aged 13–24. In 2021, 12 newly diagnosed individuals aged 15–19 were Clark County residents. This law will increase minors’ access to care and provide protection of healthcare providers in prescription of preventive measures.

Effective Date: June 5, 2023

Submitted by: Heather Anderson-Fintak

Construction

Bill #: AB22

This bill revises provisions related to unlicensed contractor activity. As revised, if the first offense of unlicensed contractor activity does not involve theft or fraud, the Contractors Board is no longer required to report the same to the applicable district attorney for potential prosecution in addition to the penalties imposed by the Board. Now, the Board is only required to report second or subsequent violations, or a first violation involving theft or fraud.

Effective Date:

Upon passage and approval (now)

Submitted by: Philip Mannelly, Attorney, Construction Law & Litigation Practice, McDonald Carano LLP

Updates *continued on page 26*



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Probate and Trust

Bill #: SB407

SB407, which was proposed by the Probate and Trust Law Section, clarifies laws relating to trusts and estates, adopts new laws to remain current as one of the top three leading jurisdictions in trusts and estates, and streamlines the probate and trust administration process, while including safeguards to prevent abuse. A brief rundown of the notable provisions of the bill include:

Sections 1 and 14 amend NRS 136.010 and 164.010 to clarify situs, jurisdiction, and venue determinations for trust and estate proceedings.

Sections 4, 5, and 7 amend various statutes to clarify the rights of an interested person in estate proceedings.

Sections 9 and 16 adopt new sections to NRS Chapters 163 and 164 regarding trustee capacity and certification that permits the settlor to decide how his/her "incapacity" will be established in the trust document. They also permit incapacity to be certified by one licensed physician unless a higher standard is required under the trust. They also amend NRS 164.410 to permit the trustee's incapacity to be certified by the successor trustee and exonerate persons relying on such certification from liability.

Sections 13 and 18 adopt new sections of NRS Chapters 163 and 164 and amend NRS 239.010 to provide a statutory right to keep confidential certain information relating to a trust that otherwise must be disclosed in proceedings relating to trusts, including routine, unopposed petitions for instructions, reformation, etc.

Section 15 amends NRS 164.021 to clarify the information to be provided to a beneficiary, heir, or interested person when a trustee provides a notice of irrevocability. Under the amendment, a trustee is only required to provide the dispositive provisions of the trust instrument pertaining to the beneficiary or notice that the heir or interested person is not a beneficiary. However, the trustee may further comply with this subsection by providing a complete copy of the trust instrument to such person(s). Additional changes to this section include clarification regarding when the 120-day statute of limitations applies, that persons receiving notice may consent in writing to a period of less than 120 days, and that a trustee is absolved of liability for providing information under this section after making a good faith determination regarding the status of the person to be noticed.

Effective Date: July 1, 2023

Submitted by: Alan D. Freer and Jeffrey P. Luszeck, Solomon Dwiggin Freer and Steadman, Ltd.

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Annual Attorney Memorial Service

- **Special event honoring Nevada Bar members** who have passed on in the last year.
- **When:** Friday, September 8, 2023
- **Time:** Service starts at 3 p.m. sharp with reception immediately following.
- **Where:** Lloyd D. George U.S. Courthouse, Courtroom 6C, 333 Las Vegas Blvd. S.

Fifth Annual ¡Andale! 5K Run/Walk

- **Join the CCBA's team DICE Rollers** in support of the Latino Bar Association's fifth annual (in-person and virtual) 5K to raise funds for scholarships to provide financial support for college students and graduates to pay for LSAT preparation courses.
- **Date:** Saturday, September 30, 2023
- **Time:** 8:00 a.m.
- **Where:** Kellogg Zaher Sports Complex, 7901 W Washington Ave, Las Vegas
- **Sign-up now:** <https://runsignup.com/Race/NV/LasVegas/Andale5K>

Shine-a-Light Walk-Through

- **Volunteers to bring items for people sheltered in the tunnels.** Bring a flashlight and backpack with items to distribute. No children/minors. No cameras or lookie-loos.
- **When:** Saturday, October 14, 2023
- **Time:** 8:00 a.m.
- **Where:** Shine a Light Foundation, 840 S Rancho Suite 4-825, Las Vegas
- **RSVP now:** StephanieAbbott@clarkcountybar.org

2023 Walk to End Alzheimer's®

- **Join the CCBA's team** in this activity to raise awareness and funds for Alzheimer's care, support and research.
- **Date:** Saturday, October 28, 2023
- **Time:** 8:00 a.m.
- **Location:** Las Vegas Ballpark
- **Sign up now:** <http://act.alz.org/goto/CCBA>

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Index of CLE Programs (Recorded & Alternative Format)

1. **Cybersecurity for Law Firms**

Speaker: David Shultis, President and Partner at Red Panda Systems
Recorded: 8/10/2023
Format: Audio/Video
Offers: 1.0 hour CLE credit (NV)
Price: \$25/CCBA member, \$50/Non-member

2. **ChatGPT and Other AI Tools in the Law**

Speakers: Pooja Kumar and Michael Smith of Lewis Brisbois
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Offers: 1.0 hour CLE credit (NV)
Price: \$25/CCBA member, \$50/Non-member

3. **Improve Your Public Speaking: Be Calm, Confident and Compelling**

Speaker: Amy Ayoub, President, The Zen Speaker
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4. **Cultural Competency in the Legal Profession**

Speakers: Cecilia Alvarado of Latino Outreach Solutions, LLC; Athar Hassebullah, Esq. of ACLU of Nevada; Dr. Radhika Kunnel, Esq. of Nevada Attorney General's Office; Hardeep "Dee" Sull of Sull and Associates, PLLC
Recorded: 5/19/2023
Format: Audio/Video
CLE: 1.0 hour Ethics CLE credit (NV)
Price: FREE for Nevada lawyers and CCBA members

5. **Basic Estate Planning Components – Focus on Health Care POAs**

Speaker: Carol A. Kingman, Senior Staff Attorney at Southern Nevada Senior Law Program

Recorded: 5/11/2023
Format: Audio/Video
CLE: 1.0 hour CLE credit (NV)
Price: \$25/CCBA member, \$50/Non-member

6. **Asset Protection Planning: How to protect your wealth, practice, and clients from the biggest threats**

Speakers: David M. Grant, Partner at Grant Morris Dodd, and Jason Oshins MBA, CeXP at WestPac Wealth Partners
Recorded: 4/25/2023
Format: Audio/Video
CLE: 1.0 hour CLE credit (NV)
Price: \$25/CCBA member, \$50/Non-member

7. **Traffic Court: AB116 Jurisdictional Implementations**

Panelists: Judge Alicia Albritton of Henderson Municipal Court, Terri March, Court Administrator/Clerk of Court of North Las Vegas Justice Court, and Hearing Commissioner Shannon Nordstrom of Las Vegas Municipal Court
Recorded: 4/5/2023
Format: Audio/Video
CLE: 1.0 hour CLE credit (NV)

8. **Suicide Awareness and Emotional Well-Being**

Speaker: Aviv Itzhaki, MD, MPH of Focus Mental Health Solutions
Recorded: 3/30/2023
Format: Audio/Video
CLE: 1.0 hour Substance Abuse/Addiction/Mental Health (AAMH) CLE credit (NV)
Price: \$25/CCBA member, \$50/Non-member

9. **Preventing Workplace Discrimination**

Speakers: Noel Hernandez and Elody Tignor of Ogletree Deakins Nash Smoak & Stewart PC; Connye Y. Harper, Esq. of ACLU of Nevada

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Recorded: 3/29/2023
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10. Product Liability Cases and IP

Speaker: Eric L. Abbott of Eric Abbott Law PLLC
Recorded: 3/15/2023
Format: Audio/Video
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11. The Basics of Family Law Jurisdiction

Speakers: Marshal S. Willick, Esq., and Richard L. Crane, Esq. of Willick Law Group
Recorded: 2/23/2023

Format: Audio/Video
CLE: 1.5 General CLE Credits (NV)
Price: \$40/CCBA member, \$80/non-member

12. Five Reasons You Should Refer an International Client to Consult a Business Immigration Attorney

Speaker: Margo Chernysheva of MC Law Group
Recorded: 1/19/2023
Format: Audio/Video
CLE: 1.0 CLE credit (NV)
Price: \$25/CCBA member, \$50/Non-member

13. Family Law New Rules: EDCR 5

Author: Marshal S. Willick, Esq.
Published: *Communiqué* (Nov. 2022)

Format: Article (PDF)
CLE: 1.0 CLE Credit (NV)
Price: \$25/CCBA member, \$50/Non-member

14. Family Law 101

Speaker: Lorien Cole of Cole Family Law Firm
Recorded: 11/10/2022
Format: Audio/Video
CLE: 1.0 CLE credit (NV)
Price: \$25/CCBA member, \$50/Non-member

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Veteran & Military Ask-A-Lawyer Highlights

By Dawn Jensen, Esq.

On Tuesday, July 11, 2023, several members of the bar volunteered to provide *pro bono* services at the Military & Veteran Ask-A-Lawyer hosted by the Nevada Attorney General’s Office of Military Legal Assistance (OMLA), Legal Aid Center of Southern Nevada, and Clark County Bar Association. The event was held in the auditorium of the VA Medical Center in North Las Vegas. The main medical campus provides primary and specialty medical care to thousands of southern Nevada veterans.

According to <https://www.va.gov/> and <https://www.militaryonesource.mil/> respectively, Nevada is home to more than 219,698 veterans, 13,694 active-duty service members, and 11,440 National Guard/Reserve members. These individuals experience a range of legal issues, including, but not limited to, homeowner questions, negligence matters, domestic issues, consumer concerns, estate planning needs, and more. Volunteer attorneys provided 30-minute consultations in a range of civil topics, with some even offering extended *pro bono* assistance.



Dawn Jensen spent more than a decade as a legal aid attorney but presently serves as Special Assistant Attorney General- Director of the Office of Military Legal Assistance. With a husband, father, and two brothers who served in our military, she has a deep appreciation for our nation’s Veterans and servicemembers. To volunteer for OMLA, contact Dawn Jensen at (702) 486-3195.

Veterans & Military Ask-A-Lawyer participants

Top row, left to right: Bruce Young, Christena Georgas-Burns, Michael Wendlberger, David Straus, Phil Su. Bottom row, left to right: Ciara (Keira) Clark, Ashlee Vazquez, Dawn Jensen, Todd Weiss, Constantina Rentzios.

Photo courtesy of David Martinez.

Thank you to the following volunteer attorneys for this service at the event:

- **Hans Baldau & Ken Ashworth** - Ken R. Ashworth and Associates
- **Gemma G. Nazareno** – Nazareno-Edquilang & Associates
- **Ashlee Vazquez** – Burton & Vazquez
- **Brandi Cassady** – Cassady Law Offices
- **David Straus** – Law Offices of David A. Straus, LLC.
- **Derek Hatch**- Jeffrey Burr Ltd.
- **Fran Fine** – The Law offices of Kristina Wildeveld & Associates
- **Paul Ray** – Paul C. Ray, Chtd.
- **Michael R. Wendlberger, Christena Georgas-Burns, & Lin Gan** – Legal Aid Center of Southern Nevada
- **Dawn Jensen, Phil Su, Todd Weiss, & Bruce Young** – Nevada Attorney General’s Office
- **Constantina Rentzios** – Nevada Legal Services

OMLA is grateful to those who gave back to the people who serve us. OMLA thanks the Legal Aid Center of Southern Nevada and the Clark County Bar Association for supporting this event and providing the manpower to make it successful. OMLA sends a big ‘Thank You’ to their colleagues at Nevada Attorney General’s Office for their participation and expertise. Finally, a thank you is owed to the VA Medical Center, specifically Lead Public Affairs David Martinez, for providing a location not only convenient for our military community, but comfortable for our pro bono volunteers, despite sweltering temperatures outside.

We look forward to seeing you all at the next Veteran & Military event. **G**

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