

November 2025

Lunchtime Learning CLE Webcasts

Free for CCBA members on November 13 and 19

See page 10



COMMUNIQUE

THE OFFICIAL PUBLICATION OF THE CLARK COUNTY BAR ASSOCIATION

The Mental Health Issue

Engage for Your Mental Health

*Find features on pages
6, 18, 20, 22, and 24*

CLE Article #19

The Silent Struggle: Mental Health in the Legal Profession

*Offers 1.0 Substance Abuse/Addiction/
Mental Health (AAMH) CLE Credit*

See page 24

COMMUNIQUÉ

THE OFFICIAL PUBLICATION OF THE CLARK COUNTY BAR ASSOCIATION

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Bar Services

Want to write for Communiq  ?

CCBA members are invited to submit a proposal to write an original article for the Communiq  . For more information, see page 4.

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Communiqué Editorial Calendar

Cover Date	Topic	Closing Date
November 2025	Mental Health	10/1/2025
December 2025	Science & Technology	11/1/2025
January 2026	Five Things	12/1/2025
February 2026	Bankruptcy Law	1/2/2026
March 2026	Law Practice Management	2/1/2026
April 2026	Family Law	3/1/2026
May 2026	Labor & Employment Law	4/1/2026
June/July 2026	Ethics	5/1/2026
August 2026	Land Use Law	7/1/2026
September 2026	Discovery	8/1/2026
October 2026	Pro Bono	9/1/2026
November 2026	Appellate Law	10/1/2026
*The combined June/July issue will be released in June. The editorial calendars, schedules, editorial policies, and writer's guidelines for the <i>Communiqué</i> are subject to change without notice.		

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Bar Services

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- Professional services

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StephanieAbbott@clarkcountybar.org, 702-387-6011.

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Communiqué Advertising Special Offers Expire December 1, 2025

Special offers* are available for new ad placement orders completed from September 1 to December 1, 2025:

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Bar Services

CCBA Membership Early Bird Special Offer Expires November 1, 2025

Please renew your CCBA membership online at clarkcountybar.org before 11/1/2025 to benefit from our early bird special offer*:

- \$25 discount off the 2026 CCBA membership fee
- Two FREE recorded CLE programs: "Defending a State Bar Grievance" – offers 2.0 Ethics CLE (NV) and "Abe Lincoln, Esq.: Lessons from the Trial Lawyer Who Became President" – offers 1.0 CLE (NV)

*Restrictions apply. The 2026 CCBA membership early bird special offer expires on November 1, 2025. For more information, call 702-387-6011 or reach out to Donna at donnaw@clarkcountybar.org.

Bar Activities

Event Calendar

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- Nov. 7 Community Service Committee Meeting
- Nov. 12 CLE Committee Meeting
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Learn more / RSVP: <https://clarkcountybar.org/events/>, 702-387-6011



Engage for Your Mental Health

By Joel D. Henriod

This is a good time to be part of Nevada's legal community. Our courts are busy, our bar is active, and new lawyers are bringing energy and fresh ideas into the profession. Yet even in a thriving legal culture, many of us quietly feel stretched thin. We log long hours, spend more time with screens than with people, and sometimes wonder whether the satisfaction we imagined at the start of our careers has drifted out of reach. It hasn't. The remedy begins with one word—**engagement**.

Engagement means showing up, not just logging in. It means taking part in something larger than your billable hours or inbox. The law has always been a human profession—and that is where its strength lies.

Engage for Your Well-Being

We are living through an epidemic of disconnection. It is easy to spend the day online, scrolling and replying, without ever actually being with people.

Our work can start to mirror that pattern. The practice of law often becomes endless screen time—drafting briefs, answering emails, reviewing discovery, and even exchanging bickering texts. Those tasks are necessary, but when they consume every day, they can make the profession feel mechanical and lonely.

Yet our profession depends on people. Law is not just a contact sport of the mind—it is a context where trust and relationships matter. We serve clients better when we know the lawyers across the aisle and the judges on the bench, when our handshake means something, and when our reputation for fairness travels farther than our filings.

If you are feeling unmoored, start small. Attend a mixer. Join a committee. Have lunch with someone who understands the strange mix of duty and pressure that comes with this calling. Engagement restores perspective and, often, peace.

Lean Into What Makes You Human

A newer anxiety is rising too—the fear of obsolescence. With artificial intelligence now drafting and researching, some lawyers quietly wonder whether their skills will still matter. If that is you, take heart and lean in. **AI can perform tasks, but it cannot form trust.** It cannot read a room, calm a client, or stand up for someone in distress. The future belongs to lawyers who cultivate what no machine can—empathy, judgment, and connection.

So rather than retreat from the changes ahead, lean into what makes you human. Listen. Reason. Care. Lead.

The Bar as a Lifeline

That is where the Clark County Bar Association comes in. The CCBA is not just a membership list—it is a community of people who get it. Our committees, mixers, and programs offer easy ways to connect. If you are an extrovert, you will love it. And if you are an introvert, please come to the mixers anyway. Many of us are introverts—and you will find kindred spirits happy to see you.

Show Up. Volunteer. Renew.

So here is my invitation: **renew your membership.** Then show up. Volunteer. Meet the colleagues you did not know you needed. The CCBA is small enough to know your name and large enough to give you a platform to grow, to lead, and to be seen.

Engagement is more than a professional habit—it is a safeguard for your mental health, your relevance, and your sense of purpose. We do not just need more lawyers. We need better connected ones. And that begins with you—showing up. **G**

Joel Henriod is a litigator specializing in appeals at Henriod Law, PLLC, practicing in substantive areas ranging from personal-injury and product-liability to commercial and public-sector disputes involving election law, breach of contract, taxation, eminent domain, and governmental regulation, etc. He serves as CCBA president through 2025.

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She is considered a leading expert in concussion/Traumatic Brain Injury (TBI) and has successfully evaluated, treated and represented patients in serious plaintiff matters. Dr. Davidson is the lead neuropsychological consult for Coastal Medical Group in San Diego. She has also consulted and provided services to professional sport teams in the MLB, NFL, NBA, MLS, American Boxing League, Pro Rodeo Cowboy Association for concussion/TBI services and mental control.

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- Anxiety Disorders (e.g., Performance Anxiety, Social Anxiety, Social Phobia)
- Eating Disorders (e.g., Anorexia, Bulimia, Body Dysmorphic Disorder)
- Neurological Disorders (e.g., Dementia & Alzheimer's Disease)
- Medical Psychology (e.g., Fibromyalgia, Chronic Fatigue, Rehabilitation, Chronic Pain)
- Sports Psychology
- Relaxation & Stress Management Training
- Hypnosis

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Annual Award of Judicial Excellence Nominations Due November 6, 2025

The Clark County Bar Association is accepting nominations for the 2025 Annual Judicial Award of Excellence. The Annual Award of Judicial Excellence honors an individual who has demonstrated judicial excellence through his or her service and commitment to the judiciary and the legal community in Clark County.

The recipient is a past or present member of the judiciary who enhances, or has enhanced, the reputation and function of the judiciary by demonstrating judicial excellence, fostering access to justice, improving judicial efficiency and economy, and developing the quality and camaraderie of the bar through service to the legal community.

Previous award recipients:

- 2019 – Sr. Judge Nancy Oesterle
- 2020 – Judge Ken Cory
- 2021 – Justice Abbi Silver
- 2022 – Chief Judge Jerry Wiese
- 2023 – Judge Frank Sullivan
- 2024 – Judge Brenda Weksler

Nomination criteria:

- Demonstrates judicial excellence through conduct upholding the rule of law and the impartial administration of justice
- Fosters access to justice through formal or informal programs or other contributions
- Leads process improvements that improve judicial efficiency or economy
- Develops the quality and camaraderie of the bar through service to the legal community in Clark County, Nevada.

Nominations must include:

- First and last name
- Address
- Phone number
- A brief description of the nominee and how he or she meets the criteria mentioned above. Please include any organizations this person is currently involved in and specific contributions that demonstrate the nomination criteria.

Submit nominations by November 6, 2025, to Donna S. Wiessner, Executive Director, Clark County Bar Association, DonnaW@ClarkCountyBar.org.

The award will be presented at the CCBA's Annual Meeting and Volunteer Appreciation Luncheon on December 4, 2025.

CCBA Annual Meeting & Volunteer Appreciation Luncheon on December 4, 2025

CCBA members and their guests are invited to attend this special event at Morton's The Steakhouse, 400 E. Flamingo Road, on December 4, 2025. Networking and check-in begin at 11:30 a.m.

Guest speaker is State Bar of Nevada President Kari Stephens of Jeffrey Burr Ltd. This event will also feature voting for the 2026 Executive Board.

Entrée options are:

- Grilled 9 oz. Ribeye w/ Garlic Butter & Mashed Potatoes
- Chicken Christopher w/ Garlic Beurre Blanc Sauce & Mashed Potatoes
- Ora King Salmon Filet w/ Vegetable Relish
- Vegetarian/Vegan: Pasta w/ Grilled Vegetables Sautéed in Extra Virgin Olive Oil & Garlic

Price: \$65/CCBA member, \$80/Non-member

RSVP to CCBA required by 11/26/2025: (702) 387-6011, clarkcountybar.org.

CCBA Holiday Mixer Featuring Ugly Sweater Contest on November 20, 2025

CCBA members are invited to attend this special event at Audio Bar at 1020 S. 1st Street, in downtown Las Vegas, on November 20, 2025.

This event is hosted by CCBA's New Lawyers Committee and DICE and will feature complimentary beverage and appetizers for CCBA members while supplies last!

RSVP to the CCBA by 11/17/2025: (702) 387-6011, clarkcountybar.org.





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Lunchtime Learning CLE

Nevada's Duty to Defend: Triggers, Pitfalls, and Independent Counsel Rights

Live webcast free for CCBA members on November 13, 2025

Guest speaker:

Jeff Bolender, Bolender Law Firm, PC

Course description: When a lawsuit is filed, one of the first questions clients ask is: Will my insurance cover this? In Nevada, the rules about when an insurance company must defend its policyholder are especially important—and sometimes surprising.

This one-hour program will walk you through the essentials of Nevada's "duty to defend," why it matters in everyday practice, and what happens when an insurer refuses to step in. You'll also learn how conflicts of interest can change who controls the defense and what that means for your client.



When: Thursday, November 13, 2025, 12:00 to 1:15 p.m.

Where: Online via Zoom

Offers: 1.0 general CLE credit for Nevada lawyers

Live webcast (via Zoom): FREE for CCBA members only

Recorded rental: \$25/CCBA member, \$50/non-member

RSVP: clarkcountybar.org, (702) 387-6011



Lunchtime Learning CLE

Passage of AB3 and its Impact on the Nevada Mandatory Arbitration and Short Trial Programs

Produced by Stephen F. Smith

Live webcast free for CCBA members November 19, 2025

Guest speakers:

Hon. Erin Truman and
Hon. Adam Ganz

ADR/Discovery Commissioners, Eighth Judicial District Court

Course description: This seminar will review the language of AB3 that passed



in the 2025 Nevada Legislature, review the statute's effective date and the resulting changes to both the Mandatory Arbitration Program and Short Trial Program. We will discuss the changes the statutes governing ADR in Nevada, including the addition of new automatic exemptions case categories, change in applicable caps on awards, and changes to permissible awards of attorney fees in the arbitration program.

When: November 19, 2025, 12:00 to 1:15 p.m.

Where: Online via Zoom

Offers: 1.0 general CLE credit for Nevada lawyers

Live presentation (via Zoom): FREE for CCBA members only

Recorded materials rental: \$25/CCBA member or \$50/non-member

RSVP: clarkcountybar.org, (702) 387-6011





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616C.215/Breen/Vasquez has been addressed.

Nevada's new legislation resolves the lien and reimbursement mess that has complicated personal injury/workers' comp crossover cases for years.

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2025 Client Counseling Competition Winners and Judges

By *Stephanie Abbott*

On October 3 and 4, 2025, several members of the Nevada bench and bar volunteered to help judge the 27th Annual Client Counseling Competition at the William S. Boyd School of Law.

Congratulations to the winners:

- First place: **Cosette Fronczek-Marriott** and **Brooke Herbster**
- Second Place: **Alexandra Mendoza** and **Hiram Triana**
- Semi-Finalists: **Yasmeen Danial** and **Anna Lindh**
- Semi-Finalists: **Alexa Samson** and **Rachel Fisher**

The CCBA's New Lawyers Committee provides support for this event every year by recruiting volunteers to judge the competition. Committee Co-Chair **Alexandra Matloff** shared her gratitude for their help.

"On behalf of the Clark County Bar Association's New Lawyers Committee, thank you very much for judging the UNLV William S. Boyd School of Law's Client Counseling Competition. We greatly appreciate the time you

took to evaluate the law students' performances and your willingness to provide them with invaluable feedback. Because of you, the competition was a huge success."

Competition judges included:

Spencer Achiu
Caitlan Bohn
Harrison Bohn
Shannon Borden
Milica Bosnjak
Kristine Brewer
Marcus Brouwers
Sondra Brower
Kelly Burton
Judge Dee Butler
LaTeigra Cahill
Patrick Chapin
Chase Christensen
Peter Cleary-Varelas
Bradley Combs
Judge Maximiliano Couvillier

Activities continued on page 14



*Client Counseling Competition Final Round Highlight (left to right):
Dean Monte Smith, Brooke Herbster (winner), Nevada Supreme
Court Justice Patricia Lee, Cosette Fronczek-Marriott (winner),
U.S. Magistrate Judge Maximiliano Couvillier.*



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Activities *continued from page 12*

Andrew Craner
Stephen Davis
Andy Donahue
Benjamin Doyle
Anna Farrales
Lin Gan
Cristian Gonzalez Perez
Eva Guevara Gutierrez
Christopher Harmon
Chata Holt
Kerstan Hubbs
Laila-Rose Hudson
Shannon Kallin
Rachel Krumm
Mysty Langford
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Justice Patricia Lee
Robert Lemus
Judge Jasmin Lilly-Spells
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Racheal Ross
Nathaniel Saxe
Myrra Smith
Lisa Szyz
Alexis Taitel
Lorin Taylor
James Urrutia
Judge Matthew Walker
Michael Wendlberger
Annie Youchah
Stephanie Zinna

The CCBA's New Lawyers Committee helped to recruit judges working with event organizers **Drianna Dimatulac** (3L) and **Erik Mehaffey** (3L), Society of Advocates Vice Presidents of In-House Competitions. The New Lawyers Committee looks forward to future collaborations with the law school and mentoring the next generation of lawyers.

For more information, contact Alexandra Matloff at amatloff@wshblaw.com, Ben Doyle at bdoyle@everettdorey.com, or Donna Wiessner at the CCBA office at (702) 387-6011. **C**

Stephanie Abbott is the communications manager for the Clark County Bar Association. She enjoys writing about activities and court news relevant to the southern Nevada legal community.

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Civil Bench-Bar Meeting December 9, 2025

Attend in person or via Zoom

- **Host:** Eighth Judicial District Court - Civil Department
- **When:** December 9, 2025, 12:00 to 1:00 p.m.
- **Where:** Regional Justice Center, Courtroom 10D and Zoom
- **Contact:** EJDCBenchBar@gmail.com.

Municipal Court Judge to Retire

City Council Begins Process to Find Replacement

City of Las Vegas Municipal Court Judge Susan Roger notified city leadership of her plans to retire effective Nov. 4, 2025. Judge Roger has presided over Department 2 since her election to the bench 2011. Prior to becoming judge, she started her legal career in the Clark County District Attorney's Office in 2000.

The Las Vegas City Council began the process to select a replacement for Judge Roger. On Oct. 15, the city council extended the application period to midnight on Oct. 26, 2025, for those interested in serving as an interim Las Vegas Municipal Court judge. The council also voted to make the position an interim caretaker, meaning applicants would consent not to run for the post next year.

The person selected will serve until the next general election cycle, which is in 2026. In accordance with Nevada Revised Statutes the council must select a replacement judge by Dec. 4, 2025.

Local Rules of Practice for Traffic in Las Vegas Municipal Court Effective September 29, 2025

On September 18, 2025, Las Vegas Municipal Court Chief Judge Kelly Giordani entered an administrative order about the adoption of court rules regarding traffic violations. Learn more at <https://municipal-court.lasvegasnevada.gov/>.

Administrative Order 25-06: In Re Probate Court, Effective October 1, 2025

On October 1, 2025, the Eighth Judicial District Court filed the order "In the Administrative Matter of Practice and Procedures in the Pro-

bate Court." See Administrative Order 25-06.

Effective immediately, the 21-page order addresses specific topics:

- Probate Commissioner's Reports and Recommendations
- Requests to transfer to Probate Judge
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Thresholds to Competency: Requiring a Nuanced Touch

By Judge Matthew Walker

With mental illness prominent in the current public consciousness, it is important for judges presiding over criminal dockets to remember that the defendants in front of us may not meet the criteria to be considered competent. Due process is a cornerstone of both our federal and state constitutions, and it includes ensuring that those facing criminal prosecution are able to understand and participate in the process.

At the same time, our state-wide competency system currently struggles to handle the volume of criminal defendants ordered into formal competency proceedings. This often results in a different kind of due process concern, with those defendants serving lengthy terms of incarceration prior to treatment availability. One of the ways to address these conflicting considerations is for judges to familiarize themselves with the threshold requirements for entering into the competency system to begin with.

NRS 178.405 requires that, when doubt arises as to a defendant's ability to proceed, a court must suspend all proceedings until the question of competence is determined. However, this does not mean that in every circumstance where doubt is raised, a court must hold formal competency proceedings. Instead, as articulated by the Supreme Court of Nevada, in *Melchor-Gloria v. State*, 660 P.2d 109 (Nev. 1983), only in cases where there is sufficient evidence for that doubt to rise to the level of reasonable doubt is the accused entitled to a full competency hearing. The presiding court retains discretion to evaluate all the evidence in front of it to determine whether a reasonable doubt has been raised. See *Lipsitz v. State*, 135 Nev. 131 (2019).

Under *Melchor-Gloria*, this evidence can come from "any source," including either of the parties or the court's own observations and canvases. If, after reviewing the available evidence, the court finds that the doubt raised is not reasonable, no further competency considerations need to be made, the suspension can be lifted, and prosecution can proceed. In these circumstances, the parties

will be free to plea bargain to address any treatment needs the defendant may have without the delay that the, often ponderous, formal competency process may have brought about.

Ultimately, the presiding judge has an obligation to use his or her discretion appropriately and order full competency proceedings, if warranted. But, awareness of this discretion is the first step to making sure that a

defendant's rights are being respected, while, at the same time, ensuring that the competency system's resources are being utilized efficiently. **G**

Due process is a cornerstone of both our federal and state constitutions, and it includes ensuring that those facing criminal prosecution are able to understand and participate in the process.

Judge Matthew Walker serves in Department 1 for the Las Vegas Municipal Court. In 2016, Judge Walker created the Psychiatric Stabilization and Treatment program to address the large volume of incarcerated defendants who are experiencing mental health crisis and need stabilization and treatment. Judge Walker presides over the Veteran's Treatment Court, where he leverages his knowledge and experience regarding mental health treatment to assist criminal defendants who are military veterans and suffer from substance use and mental illness.



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When “Take a Deep Breath” Isn’t Enough: Understanding Mental Health Crisis Holds and Civil Commitments

By Catherine Wiersch

We all have tough days when stress builds up and someone suggests a walk, a nap, or vacation. But when faced with a true mental health crisis—where someone may be a danger to themselves or others—self-care isn’t enough. That’s where mental health crisis holds and civil commitments come into play.

Though intimidating, these civil processes are designed to protect individuals in crisis and, if necessary, connect them with treatment. Understanding how the

law works helps reduce fear, fight stigma, and promote compassionate responses.

In Nevada, NRS 433A outlines legal holds and civil commitments based on mental illness only. Nearly 300 petitions for civil commitment are filed a month.

The process starts with a mental health crisis hold. This is a short-term hospitalization, not to exceed 72 hours, and used when someone poses an immediate risk to themselves or others, or cannot care for themselves, due to mental illness.

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After 72 hours, a civil commitment petition may be filed with the court to request ongoing treatment—up to six months—if the legal criteria are met.

The legal criteria requires a person be a danger to themselves (e.g., suicidal behavior), threatens harm to others (e.g., homicidal behavior), or is severely impaired and unable to meet basic needs. All due to a mental illness. The conduct and the mental illness must connect.

While a family member or stranger can initiate a 911 call for help, it is the mental health professionals, physicians, or law enforcement that can initiate a legal hold after personal observations of concerning conditions/behaviors.

The goal is safety, stabilization, and assessment—not punishment. Once on a crisis hold, the individual is taken to a hospital or psychiatric facility for evaluations. Clinicians assess their mental and medical conditions.

If the behavior isn't linked to mental illness or if the person stabilizes, they may be released. If 72 hours pass, and the person is still meeting criteria for a legal hold, a petition for civil commitment may be filed.

The filing triggers a court hearing where a judge reviews evidence to decide if continued treatment is nec-

essary. This filing also infringes on a person's liberty interest.

This infringement kicks into gear a series of other rights: the right to be informed of the reasons for the hold, to access legal counsel, to an adversarial hearing, and to refuse certain treatments (unless it's an emergency). A commitment cannot exceed six months but can be extended if the criteria persist.

This process is important because we are not only restricting a person's movement, some may lose autonomy of the body through forced medications.

This process is more than just "making people better." While the legal process is complex and overwhelming, it is ultimately about interceding on behalf of someone who may have an altered state of reality. Being informed of the process allows patients, families, and communities to respond with greater knowledge, compassion, and confidence. **G**

Catherine Wiersch is a Chief Deputy at the Clark County Public Defender's Office. Her current assignment is in specialty courts, serving as the lead attorney for Civil Commitments and the Assisted Outpatient Treatment Program.



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Meditation Tips for Nevada Attorneys

By Heather Anderson-Fintak

Stress is so commonplace for attorneys that in the last two decades, most states added mandatory CLEs regarding substance abuse, addiction, and mental health, due to the unhealthy devices utilized. One non-destructive coping skill that attorneys can use is meditation. Meditation, like law, is a practice that improves over time. I had been dabbling in meditation for years when the pandemic hit. As a public health attorney, I faced unusual stressors. In 2022, I knew my normal coping mechanisms stopped working when I re-

turned from a Coronado Island weekend trip and I was not refreshed. A last-minute invitation to a three-day long meditation retreat surfaced and I decided to take a chance. Upon my return, my husband saw a change in me. I was calmer, less agitated, and obtained better skills for dealing with stress.

The State Bar of Nevada provides free access to the Calm Health app for all licensed attorneys. From having Matthew McConaughey reading a sleep story to breathing exercises to combat an anxiety attack, this free re-



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source is valuable even if limited to listening to rainforest while writing a brief. Check out the Bar's website for instructions on how to obtain free access.

Box breathing, used by Navy SEALs, is a simple technique and is particularly useful to lower heart rates or focus a racing mind. Imagine a box with equal sides. Count to four for each of the following: breathe in, hold, exhale, hold. This is best done with inhaling through the nose and exhaling through the mouth. This exercise can be done starting in one-minute increments and can be increased in time based upon need. Scientific studies have shown that five minutes per day of controlled breathwork can lower respiratory rates and improve mood.

Another breathing exercise is diaphragmatic breathing. While laying on the back, place one hand on chest and one hand on stomach. Breathe in slowly through the nose. Then tighten the stomach muscles upon exhaling through pursed lips. This exercise is usually done between five and ten minutes.

Guided meditation, such as on the Calm Health, Simple Habit, or Mindfulness app, help focus on particular topics. Falling asleep, improving work performance, building resilience, and developing gratitude are all topics that can be found in guided meditation. Committing

to a series, as well as doing pre and post meditation reflections can make a difference. Broadly paraphrasing a meditation instructor, meditation is as effective as a glass of wine. If an individual does not deal with the underlying issues, meditation is just a distraction. Focused guided meditation coupled with journaling can help resolve problems.

It should be noted the meditation does not replace the need for clinical mental health diagnosis or medication. For those with a religious upbringing or background, meditation can feel a lot like praying. Ultimately, it is a time away from the busyness of life and desire to be a better version of oneself. **C**

Since 2021, **Heather Anderson-Fintak** is the General Counsel for the Southern Nevada Health District and has been in-house with the District since 2012. Previously, Heather spent ten years working for legal aid organizations in both Maryland and Nevada. She has been on the Clark County Bar Association Executive Board since 2019.

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The Silent Struggle: Mental Health in the Legal Profession

By Jennifer L. Braster

About: The CCBA's Article #19: "The Silent Struggle: Mental Health in the Legal Profession" offers 1.0 Substance Abuse/Addiction/Mental Health (AAMH) CLE Credit Continuing Legal Education (CLE) credit to Nevada lawyers who complete the test and order form per the offer described in the November 2025 issue of Communiqué. See pp. 24-29. The CCBA is an Accredited Provider with the NV CLE Board.

Twenty years ago when I was a baby associate, I sat at my desk and bawled. I had worked since I was 14 years old, but my first year as an associate was nothing anyone could prepare me for. The firm I was with had a "sink or swim" mentality and yes, some associates sank.

It was about six months into my career, and I was overwhelmed. Working for multiple partners with different personalities, varying writing styles, competing deadlines, and constant work was too much. But I didn't quit. I leaned in and figured it out. With the support of a junior partner and a seasoned older partner who took the time to listen, I was okay. I learned the tricks and tools for self-care and emotional wellbeing: exercise, spending time on myself, traveling, therapy, mastermind coaching, etc. It worked for me.

Fast forward fifteen years, COVID hit. During COVID, as with many people, my tricks and tools no longer worked. I was stuck. Looking back, I surmise it was caused by COVID (and being in the middle of a multi-week trial with unreliable childcare due to COVID shutdowns), some particularly challenging cases, and personal matters that escalated due to COVID. I loved my career, yet I considered leaving the profession. Instead, I had to figure out what my new "self-care" was.

My friends and colleagues have shared similar stories. We have all been in the same position: competing deadlines, long hours, difficult clients, unprofessional

opposing counsel, and frustrating rulings from the court. I know numerous attorneys who now suffer from substance abuse issues, mental health challenges, gambling addictions, or have even contemplated suicide.

I recall a few years ago when some colleagues shared a Facebook post written by an attorney who, in my opinion, appeared to be suicidal. I did not know this attorney, so I reached out to the Nevada Lawyer Assistance Program, a confidential program in Nevada to assist lawyers with alcohol, drug, gambling problems, depression, and stress. The volunteer attorney I spoke with reached out to that struggling attorney. While I do not know if this attorney received the help they needed, I have seen the person around town still practicing.

While 6.7% of the U.S. population has been affected by depression, over 45% of attorneys have experienced depression during their career and almost 12% reported having suicidal thoughts at least once. (<https://american-addictioncenters.org/workforce-addiction/white-collar/lawyers>) (last visited July 6, 2025). A recent study by the ABA Commission on Lawyer Assistance Programs revealed that over 36% of lawyers struggle with alcohol abuse, and 9% of attorneys have struggled with prescription drug abuse. *Id.*

In another study, "[O]f the 3,400 law firm respondents, 67% reported they suffered from anxiety, 35% suffered from depression, 44% suffered from isolation, and 19% contemplated suicide." (<https://calawyers.org/cal>

ifornia-lawyers-association/wellness-strategies-for-mental-health-issues-among-attorneys-and-legal-professionals/) (citing *Pandemic Anxiety Wanes, but Legal Industry Mental Health Struggles Persist* by Patrick Smith (May 10, 2022)) (last visited July 6, 2025).

In a 2016 article regarding a study of attorneys, the researchers concluded, “Attorneys experience problematic drinking that is hazardous, harmful, or otherwise consistent with alcohol use disorders at a higher rate than other professional populations. Mental health distress is also significant. These data underscore the need for greater resources for lawyer assistance programs, and also the expansion of available attorney-specific prevention and treatment interventions.” Krill PR, Johnson R, Albert L., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, J. ADDICT. MED. 2016 Jan-Feb.

All of these concerns and statistics lead to the questions of what can we do to protect our mental health and how do you spot issues with colleagues?

It is easy to say that one should work on their work-life balance. But how do we actually do that? There is a myriad of tools out there, and it will take time to figure out what works for you. Also, starting with incremental changes is a lot less overwhelming than major life changes.

1. Make time for yourself, even if only 10 minutes a day, for what brings you joy. Then gradually increase that time. This could range from walking your dogs, meditat-

CLE continued on page 26

Instructions for CCBA's CLE Article #19

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ing in the morning, reading a book, cooking, gaming, watching dumb “reality” TV to decompress, etc. For me, once a week, I take a Pilates class during work hours that I cherish. Yes, it is simply one class that I could miss, but it is important to me. That time is protected, and over the years, I’ve probably only cancelled a handful of times due to work obligations such as trial or a deposition.

2. Taking care of yourself physically. Sleep, nutrition, and exercise all factor into your mental well-being. Sleep deprivation can impact your body’s inflammation levels, causing health issues. Sleep also may improve your memory and reduce depression and anxiety. (<https://calawyers.org/california-lawyers-association/wellness-strategies-for-mental-health-issues-among-attorneys-and-legal-professionals/>) (last visited July 6, 2025). Exercise also reduces depression and anxiety as it releases endorphins and other brain chemicals that boost your mood. Poor nutrition can be equated with poor sleep and feeling run down. Seeing a nutritionist could help as you may have developed allergies or reactions to foods over the years that may be treatable.

3. If you are in a firm or large organization, talk to your senior partner or manager. They likely offer wellness programs or resources that are of assistance. Also, they may have practical solutions: bringing on another attorney to support in a case, asking for extensions for deadlines in a particularly difficult or time-consuming matter, reshuffling some of the work to less busy associates. I bring my dog to work most days, and I absolutely love it. He runs into each office getting treats in the morning and then “supervises” me in my office. When I need a break, he is right there to snuggle and give me licks.

4. Establishing boundaries. For most of my life, I struggled to say “no.” I would often over-extend myself with personal and professional obligations and would feel terrible if I could not help with something. Everything changed a few years ago, when I read “You Had Me At No: How Setting Healthy Boundaries Helps Banish Burnout, Repair Relationships, and Save Your Sanity” by Sheryl Green. I put the advice from the book into practice, and the first time I said “no” to an extracurricular, volunteer activity, I explained that I did not have the capacity to participate at the time. Then I held my breath as I waited for a response. To my shock, they were not upset or mad but completely understood. “Often, our fears around saying ‘No’ are unfounded. When we speak clearly, compassionately, and confidently, [most] people will respect our boundaries and our honesty,” says

Green. “Healthy boundaries don’t damage relationships, they strengthen them.” This book was a much-needed reminder that I am only hurting myself when I do not say “no,” and I need to make sure I put the life vest on myself first. I have also gotten much better at saying “no” to those potential clients that appear to be problematic from the start. One of the best pieces of advice I received when I first started my firm was not to say “yes” to every potential client.

5. Similar to establishing boundaries, learning to disconnect. ALM Intelligence’s 2021 Mental Health and Substance Abuse Survey, part of Law.com’s Minds Over Matters project (May 10, 2022) revealed that 72% of respondents stated the top workplace stressor was “always being on call and not being able to disconnect.” (<https://calawyers.org/california-lawyers-association/wellness-strategies-for-mental-health-issues-among-attorneys-and-legal-professionals/>) (last visited July 6, 2025). Over the years, I have learned a variety of tools that have helped: turning off email alerts on my phone, not checking email on weekends, and avoiding giving (certain) clients my cellphone number.

6. Create your support network. When I moved to Las Vegas in 2006, I was very lucky. Many of the new associates at my firm were in the same boat as me: new city, new career, and no friends. We bonded quickly and many of those colleagues are still close friends. Some suggestions include joining bar associations or local attorney groups and finding mentors. I am part of a Facebook group called “Las Vegas Law Moms – LVLMM.” Not only is it a great resource for attorney referrals, it is a great resource for those who may need personal support. Also, while it can seem daunting to reach out to others, in my twenty years of practice, I have never turned away an attorney reaching out for advice or assistance, and I have never had an attorney turn down a request from me for advice or assistance.

7. Finding out what coping mechanisms work for you. When work becomes particularly stressful, what tools work to destress? For some, this means exercise, meditating, or a massage. For others, planning a mini getaway or trip to look forward to after this period subsides.

8. Get professional help. While I’m by no means offering medical advice, go see a doctor. There could be underlying medical or physical issues causing distress. See a therapist and perhaps get medication. I know several people who have chronic health issues that require ongoing medication and, over the years, those medica-

tions have stopped working or need to be tweaked. It is a good reminder that what may have worked for you before for mental health may not work for you now. Also, not only does the Nevada Lawyer Assistance Program offer resources and support for those struggling, it also offers a therapy benefit. The program offers confidential therapy sessions with the first five sessions provided at no charge. For more information, visit <https://nvbar.org/for-lawyers/resources/wellbeing/therapy/>. (last visited July 6, 2025).

Be cognizant of your stress triggers. You can then begin to implement these tools and figure out which work best for you.

Whether you are a fellow employee, managing partner, or law firm owner, it is important to also recognize those cues of colleagues or fellow employees struggling. These can include personality shifts or mood swings, over/under reacting to situations, absenteeism or working less (or many more) hours, signs of drinking or substance abuse, missing deadlines, poor work product or inability to focus on work, changes in appearance, irritability, and lying.

If you spot these symptoms, as a fellow employee, talk to management. At many larger firms, there are wellness programs designed to assist. As a manager, offer support and help and provide your employees with resources. This could range from FMLA leave to therapy sessions offered through Nevada Lawyer Assistance Program to shuffling work obligations. If you don't know what to do, reach out to professionals that can assist.

This is a demanding profession, and your well-being is not optional. Prioritize it, protect it, and pay attention to those around you. You can't pour from an empty cup, and you can't lead if you're sinking. Put your life vest on first. Then help others do the same. 

Jennifer L. Braster is a founding partner at Naylor & Braster, a commercial litigation firm in Las Vegas, Nevada. Jennifer routinely practices in both the federal and state courts in Nevada and in the areas of commercial litigation, consumer finance, and appellate law. Contact her at 702-420-7000.

How Pro Bono Work Supports Lawyers' Mental Health

By Catherine Wiersch

The practice of law can be demanding, often marked by long hours, high stakes, and constant pressure. One surprising antidote to this stress is volunteering pro bono. While it benefits the community, it also provides meaningful mental health rewards for lawyers themselves.

Pro bono work reconnects lawyers with the core values that likely drew them to the profession in the first place—justice, fairness, and service. In contrast to billable hours and adversarial battles, pro bono cases often provide a chance to make a direct, positive impact in someone's life. This sense of purpose can reduce burnout, restore perspective, and rekindle professional pride.

Pro bono attorneys frequently express deep gratitude, and that human connection counteracts the isolation many lawyers feel in their day-to-day practice. In particular, helping vulnerable populations also builds empathy, reminding attorneys that their skills are powerful tools for good beyond the courtroom.

Finally, volunteering fosters community with other service-minded lawyers, strengthening networks of support. These connections can combat loneliness and promote resilience.

Pro bono work is more than a professional obligation; it's a path to greater fulfillment. By giving time and expertise to those in need, lawyers nourish both their communities and their own well-being. 

Catherine Wiersch is a Deputy Public Defender with the Clark County Public Defender's Office focusing on civil commitments and assisted outpatient treatment programs. She's been at the Public Defender's office for eight years after graduating from the University of Dayton in 2018. Catherine enjoys giving back to the community. She volunteers on the CCBA's New Lawyer committee and Community Service committee. She helps the community by taking pro bono cases from the Legal Aid Center of Southern Nevada and the Senior Law Program.

“The Silent Struggle: Mental Health in the Legal Profession”

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

Complete the quiz. Each question has only one correct answer. Circle “True” or “False.”

1. **True or false.** Attorneys report that their number one stressor is the amount of work and long hours.
2. **True or false.** Nevada Lawyer Assistance Program offers free therapy sessions, but the results of those sessions can be reported to the State Bar of Nevada.
3. **True or false.** Most large firms offer wellness programs to assist attorneys in need of mental health support.
4. **True or false.** As a managing partner or law firm owner, if you see signs that an employee is struggling, you should stay out of it as it is a personal matter.
5. **True or false.** Establishing your boundaries and learning to say “no” is one tool to assist in managing stress and prioritizing your well-being.
6. **True or false.** In one study, over 2/3 of attorneys reported suffering from anxiety.
7. **True or false.** Once you figure out what tools work to assist in your stress management and well-being, you’ll be set for the rest of your career.
8. **True or false.** Attorneys have reported experiencing depression at almost seven times the national average.
9. **True or false.** Over one-third of attorneys have reported struggling with alcohol abuse.
10. **True or false.** If you want to revamp your mental health and well-being, it is best to make all the changes at once, like ripping off the band-aid.
11. **True or false.** When you are overly stressed with deadlines, you should avoid spending time on yourself because it will only make you more stressed.
12. **True or false.** As a young associate, it is best to suffer in silence and take on as much work as you can. You do not want to appear weak or unable to do the work.
13. **True or false.** To be a successful attorney, you must be available 24/7 for client demands.
14. **True or false.** Nevada Lawyer Assistance Program offers confidential assistance for attorneys struggling with alcohol, drug, gambling problems, depression, and stress.
15. **True or false.** While attorneys may drink more than the national average, it is manageable, and attorneys do not experience a higher rate of alcohol use disorders than other professional populations. **G**

Instructions for CCBA’s CLE Article #19

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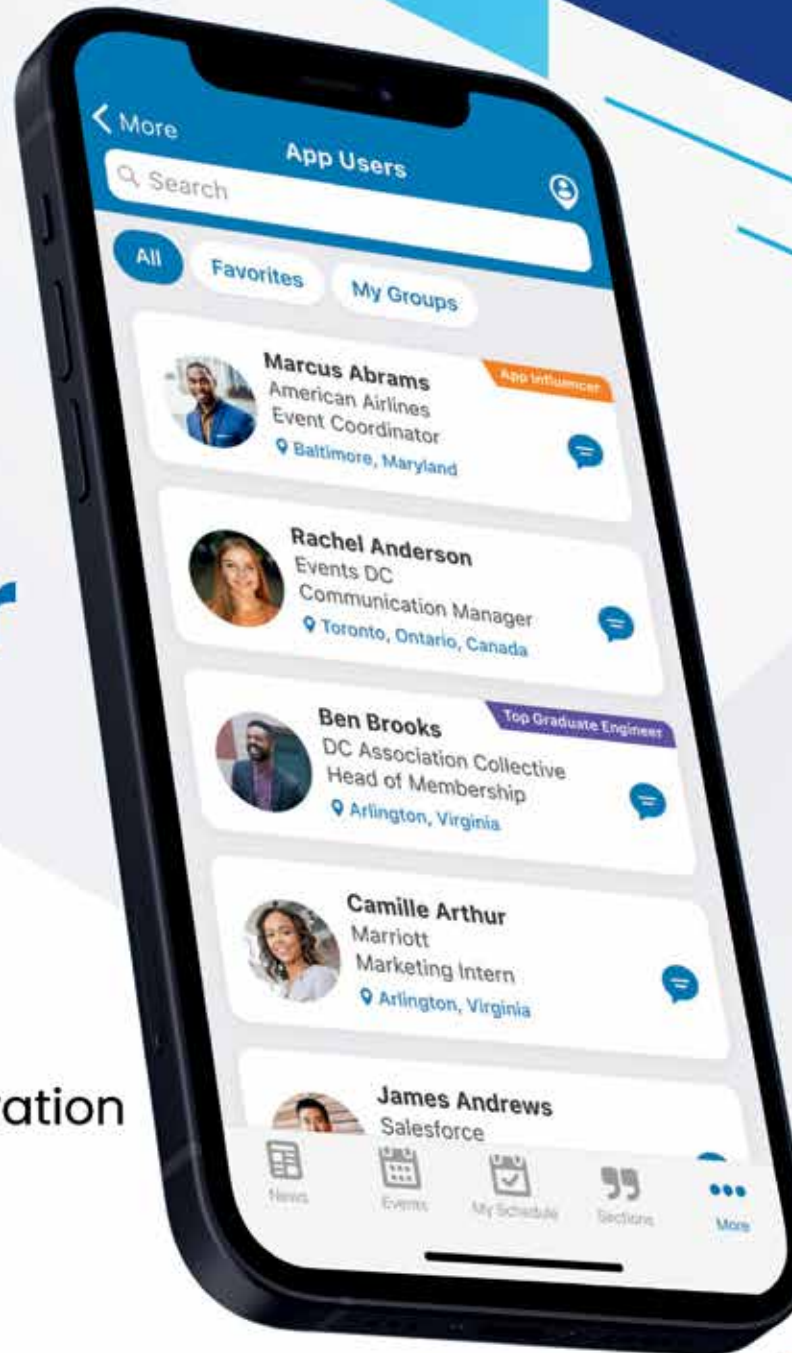


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