

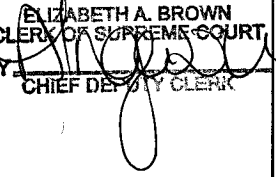
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENT TO
SUPREME COURT RULE 79
REGARDING PROFESSIONAL
LIABILITY INSURANCE FOR
ATTORNEYS ENGAGED IN PRIVATE
PRACTICE.

ADKT 534

FILED

JUL 03 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

*ORDER SCHEDULING PUBLIC HEARING
AND REQUESTING PUBLIC COMMENT*

On June 29, 2018, the Board of Governors of the State Bar of Nevada filed a petition to amend Supreme Court Rule 79 to require professional liability insurance for attorneys engaged in private practice as a condition of licensure. The proposed amendments are attached as Exhibit A.

The Nevada Supreme Court will conduct a public hearing on the petition on Wednesday, July 18, 2018, at 3:00 p.m. in the Nevada Supreme Court Courtroom, 201 South Carson Street, Carson City, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, 408 East Clark Avenue, Las Vegas, Nevada.

Further, this court invites written comment from the bench, bar, and public regarding the proposed amendments. Comments may be submitted electronically or in hard-copy format to: Elizabeth A. Brown, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 by 5:00 p.m., July 11, 2018. Persons interested in participating in the hearing must notify the Clerk no later than July 11, 2018.

Hearing date: July 18, 2018, at 3:00 p.m.
Supreme Court Courtroom
201 South Carson Street
Carson City, Nevada 89701

Comment deadline: July 11, 2018, at 5:00 p.m.
Supreme Court Clerk's Office
201 South Carson Street
Carson City, Nevada 89701

DATED this 3rd day of July, 2018


_____, C.J.
Douglas

cc: Vernon Leverty, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
All District Court Judges
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Administrative Office of the Courts

EXHIBIT A

Rule 79. Disclosures by members of the bar.

1. Every member of the state bar, including active, nonresident active and inactive members, shall provide to the state bar, for the purposes of state bar communications, the following:

- (a) A permanent mailing address;
- (b) A permanent telephone number; and
- (c) A current e-mail address.

2. Every member of the state bar shall disclose to the state bar the following information:

- (a) Whether the lawyer is engaged in the private practice of law;
- (b) Whether the lawyer is engaged as a full-time government lawyer or judge, or is employed by an organizational client and does not represent clients outside that capacity, or is not currently representing clients **[; and]**

3. ~~[(e) If]~~ Every lawyer engaged in the private practice of law and representing clients, ~~whether the lawyer maintains professional liability insurance, and if the lawyer maintains a policy, the name and address of the carrier.]~~ shall attest to having current professional liability insurance coverage at the minimum limit of \$250,000 per occurrence/\$250,000 annual aggregate; subject to proof of compliance upon random audit.

4. ~~[3.]~~ Every member of the state bar shall inform the state bar of any change in any of the information disclosed under this rule within 30 days after

any such change. The member shall report a change of address, telephone number or e-mail address online.

5. [4.] Every member of the state bar shall certify annually on a form provided by the state bar the information required under this rule.

6. [5.] The information submitted under this rule shall be nonconfidential, but upon request of a member, the state bar will not publicly disclose a member's e-mail address.

7. [6.] The state bar shall notify in writing [A]any member who fails to provide the state bar with the information required by this rule [shall be].
Upon expiration of 30 days from the date the state bar sends the member notice of non-compliance, said non-compliant member shall be: [subject to a fine of \$150 and/or suspension upon order of the board of governors and/or the supreme court from membership in the state bar until compliance with the requirements of this rule and/or until reinstatement is ordered by the supreme court].

(a) Assessed \$200, payable within 30 days to the state bar; and

(b) Suspended from membership in the state bar, but may be reinstated upon filing verification of compliance on a form to be provided by the state bar.

A member may apply for a one-year hardship exemption from the e-mail provision on a form provided by the state bar. Supplying false information in response to the requirements of this rule shall subject the lawyer to appropriate disciplinary action.

8. [7.] The state bar shall provide the board of continuing legal education with an annual membership roster within 60 days of the due date for annual membership fees and registration forms.