

STATE BAR OF NEVADA

November 6, 2013

Chief Justice Kristina Pickering
Supreme Court of Nevada
201 South Carson Street, Ste. 250
Carson City, NV 89701-4702

FILED

JAN 13 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

Re: Transitioning into Practice (TIP): ADKT 0464

Dear Chief Justice Pickering:

Thank you for the opportunity to be heard at the Court's October 9, 2013 public hearing regarding ADKT 0464, which if approved, would permanently establish the Transitioning into Practice (TIP) program. The hearing was beneficial to the bar as we were able to hear the Court's valid concerns with the program. In fact, subsequent to the hearing, the TIP Standing Committee met to discuss the Court's concerns and have recommended changes to the program.

Two of those changes require Board of Governor approval and are scheduled to be heard by the Board at its November 21, 2013 meeting. If approved, they would be effective immediately. The proposed program changes are as follows:

1. **Process for Evaluating Mentors at the Conclusion of Each TIP Cycle.** Bar staff currently sends an online survey to each participant at the end of every TIP cycle requesting feedback about the program and the relationship the new attorney had with his or her mentor. This survey has been optional, and as the Court noted, the low response rate can make meaningful evaluation difficult. Therefore, the TIP Standing Committee has proposed an amendment to the TIP Program Manual and the TIP Mentoring Plan making an exit evaluation a condition of completion from the program. The proposed language is as follows:

"Additionally, the new lawyer must complete an Exit Evaluation as a condition of receiving certification of completion. A new attorney who is not comfortable completing the Exit Evaluation may request a telephonic or in-person meeting with a member of the TIP Standing Committee or TIP Program staff in lieu of completing the Exit Evaluation."

2. **Mentor Assistance during the Disciplinary Grievance Process.** The Court made a suggestion to include a provision in the TIP process that would allow Bar Counsel to reach out to a mentor for assistance in the event a grievance is filed against a mentee during his or her first five years of practice. The TIP Standing Committee agreed with this suggestion and worked with Bar Counsel to add the following language to the TIP Mentoring Agreement (between the mentor and mentee):



600 East Charleston Blvd.
Las Vegas, NV 89104-1563
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
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14-01254

"The Mentee acknowledges that in the event a grievance is filed with the Office of Bar Counsel against the mentee at any time during the first five (5) years of practice, Bar Counsel may contact a mentor for assistance."

The TIP Standing Committee also discussed the Court's comments regarding program exemptions for years in practice. The TIP Program Manual currently allows newly admitted attorneys to request an exemption from the program if they have "engaged in the active and continuous practice of law in another jurisdiction for five (5) or more years prior to admission in Nevada." The Court suggested that this five year exemption be lessened to two or three years. The TIP Standing Committee debated this issue when drafting the TIP Program Manual and recently reconsidered the five year timeframe. The Standing Committee has consistently agreed that five years is appropriate and beneficial to an attorney moving to the Nevada legal community and therefore, action is not needed at this time. The Standing Committee, however, remains open to the Court's comments and opinions in respect to this issue.

Finally, I would like to explain the process for pairing mentors and new attorneys as the Court expressed different opinions regarding the matching of attorneys from small and large firms. Upon registration for TIP, new attorneys are provided with a list of Court appointed mentors that includes their area(s) of practice, years in practice and practice setting. New attorneys may select from this list or ask staff to make the mentor match. Both the mentor and new attorney may also indicate if they prefer to have a mentoring relationship within their firms or an "outside" mentoring relationship. The online registration form has been amended to its current state based on feedback gathered from participants in previous cycles. Additionally, the TIP Standing Committee found this flexibility to be beneficial as mentors and new attorneys have unique needs. Bar staff and the TIP Standing Committee will continue to assess this process going forward.

We thank the Court again for the time, consideration and support it has shown to this worthwhile program. The TIP program has been designed to evolve and progress based on continued solicitation of feedback and we are committed to the program's future success. I remain available to respond to any additional comments or concerns.

Respectfully,



Kimberly K. Farmer
Executive Director

cc: Justice Michael Cherry
Justice Michael L. Douglas
Justice Mark Gibbons
Justice James W. Hardesty
Justice Ron Parraguirre
Justice Nancy M. Saitta
Alan Lefebvre, State Bar of Nevada President
Gregory Kamer, TIP Standing Committee Chair
Tracie Lindeman