

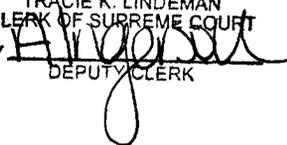
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS
TO SCR 214, SCR 98 AND SCR 121.1
REGARDING COMPLETION OF THE
INTRODUCTION TO NEVADA
PRACTICE AND PROCEDURE
PROGRAM, ESTABLISHING
MENTORSHIP PROGRAM, AND
SUSPENDING AN ATTORNEY'S
LICENSE FOR NONCOMPLIANCE,
RESPECTIVELY.

ADKT 0464

FILED

FEB 11 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER AMENDING SUPREME COURT RULE 98, 121.1 AND 214

WHEREAS, on November 16, 2011, this court submitted an order establishing as a pilot program, the Transitioning into Practice (TIP) program for newly-admitted attorneys; and

WHEREAS, on August 14, 2013, the Board of Governors of the State Bar of Nevada filed a petition in this court seeking to permanently establish the TIP program; and

WHEREAS, this court solicited comment from the bench, bar and public regarding the proposed amendments and held a public hearing on October 9, 2013; and

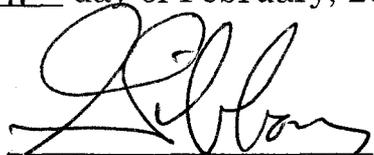
WHEREAS, this court has determined that the proposed amendments are warranted; accordingly

IT IS HEREBY ORDERED that Supreme Court Rules 98, 121.1, and 214 shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that this amendment to the Supreme Court Rules shall be effective 30 days from the date of this order. The clerk of this court shall cause a notice of entry of this order to be

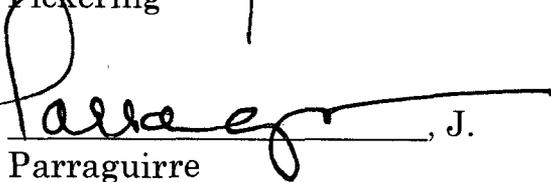
published in the official publication of the State Bar of Nevada. Publication of this order shall be accomplished by the clerk disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the State Bar of Nevada. The certificate of the clerk of this court as to the accomplishment of the above-described publication of notice of entry and dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing rules.

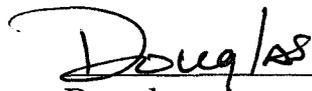
Dated this 11th day of February, 2014.

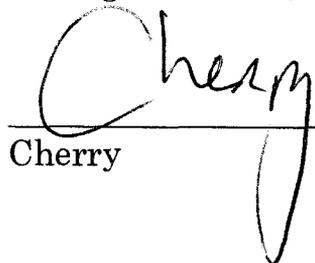

_____, C.J.
Gibbons


_____, J.
Pickering


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas


_____, J.
Cherry


_____, J.
Saitta

cc: Alan Lefebvre, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
Clark County Bar Association
Washoe County Bar Association
Administrative Office of the Courts

EXHIBIT A

AMENDMENT TO SUPREME COURT RULES 98, 121.1, AND 214

Rule 98. Membership in state bar; classes; resignation; membership fees; penalties for nonpayment of fees; register of members.

1. **Classes.** Members of the state bar shall be divided into four classes:

(a) Active members admitted to practice in any jurisdiction 5 years or more.

(b) Active members who are also members of the federal judiciary, regardless of years of admission to practice in any jurisdiction.

(c) Active members admitted to practice in any jurisdiction less than 5 years.

(d) Inactive members.

2. **Active practice in Nevada.** Every person actively engaged in the practice of law in this state shall enroll as an active member. Every active member admitted on or after November 16, 2011, shall, within 4 weeks, enroll in the Transitioning into Practice (TIP) program, certify exemption from TIP, or request deferment. Completion of TIP, pursuant to the guidelines established by the Standing Committee on Transitioning into Practice, shall be by December 31 of the first full calendar year following admission.

(a) Exemption. Members may certify exemption from TIP based on prior practice in another jurisdiction, full-time employment as a staff attorney at a court for a period of not less than 5 years, or current residency as set forth in the Mentor Program Manual.

(b) Deferral. Active members who are unemployed, staff attorneys at a court, or judicial law clerks may request deferral from TIP until they begin practicing, at which time they must enroll in the next available TIP cycle, unless exempt from TIP under Rule 98(2)(a). The Standing Committee on Transitioning into Practice may grant deferrals for judicial law clerks for up to two years from the date of admission.

(c) Penalty for noncompliance. An attorney subject to this rule who fails to timely comply with its provisions shall be subject to suspension and a \$250 fine

upon order of the board of governors from membership in the state bar until compliance with the requirements of this rule is met.

(d) Conflicts and confidentiality in outside mentoring. An outside mentoring relationship exists when the mentoring lawyer and new lawyer are not members of the same law firm or organization.

(1) The mentoring lawyer may provide, or the new lawyer may seek, short-term limited guidance or counsel, within the mentoring relationship, without expectation by either lawyer or the new lawyer's client(s) that a lawyer-client relationship has been formed or that representation is being provided in the matter by the mentoring attorney.

(2) Where practical, the mentoring lawyer and the new lawyer shall discuss client-specific issues in hypothetical terms. If hypothetical terms are not practical under the circumstances as determined by the lawyers, Nevada Rule of Professional Conduct 1.6(b)(4) applies.

* * *

Rule 121.1. Dissemination of license status, discipline and disability information.

1. **Entity responsible.** If the attorney's suspension was imposed under Rule 98 for failure to pay state bar ~~[dues,]~~ dues or under Rule 214(1) for failure to timely complete TIP, then the state bar shall be responsible for issuing the notices required by Rule 121.1(2) and (3). If the attorney's suspension was imposed under Rule 212 for failure to comply with continuing legal education requirements, then the board of continuing legal education shall be responsible for issuing the notices required by Rule 121.1(2) and (3). In all other cases, bar counsel shall be responsible for issuing the notices required by Rule 121.1(2) and (3).

* * *

Rule 214. Exemptions.

1. The following attorneys are entitled to an exemption from the requirements of Rule 210:

(a) Any active member who has successfully completed the Nevada state bar examination in the present calendar year. The exemption shall be for the remainder of the calendar year in which the examination was successfully completed and the first full calendar year thereafter. Commencing on January 1 of the second calendar year after the successful completion of the examination, the active member becomes subject to these rules. Notwithstanding this exemption, each active member of the state bar, ~~[within the first year]~~ following ~~[the successful completion of the Nevada state bar examination,]~~ admission, shall complete the ~~[Introduction to Nevada Practice and Procedure program]~~ Transitioning into Practice program.

* * *

AMENDMENT TO SUPREME COURT RULE 214

Rule 214. Exemptions

1. The following attorneys are entitled to an exemption from the requirements of Rule 210:

(a) Any active member who has successfully completed the Nevada state bar examination in the present calendar year. The exemption shall be for the remainder of the calendar year in which the examination was successfully completed and the first full calendar year thereafter. Commencing on January 1 of the second calendar year after the successful completion of the examination, the active member becomes subject to these rules. Notwithstanding this exemption, each active member of the state bar, ~~[within the first year]~~ following admission ~~[the successful completion of the Nevada state bar examination,]~~ shall complete the ~~[Introduction to Nevada Practice and Procedure program]~~ Transitioning into Practice program.

* * *