

PRESIDENT'S MESSAGE

Cannabis – a Serious Topic

BY JULIE CAVANAUGH-BILL, PRESIDENT,
STATE BAR OF NEVADA



Let's talk about marijuana, "weed," "pot"—many refer to cannabis as "safer" than alcohol and a non-pharmaceutical alternative to pain, depression, anxiety, and other ailments, but others staunchly argue it is the gateway to more serious and lethal drug use.

Some states initially legalized medical use of marijuana, and now almost half the states in the country have legalized marijuana use for both medical and/or recreational purposes. The legalization has been a political hot topic, but the laws surrounding it and how to navigate the fact that cannabis is still illegal on a federal level can be even more complex.

Several years ago, the state bar's Board of Governors was approached with a proposal to form a new section – Cannabis Law – to assist attorneys who were being retained by local governments, dispensaries, and others about how to handle these questions. The section has been instrumental in pulling together valuable resources and insight. As we delve into the intricate world of cannabis law in Nevada, this section works hard to keep us up-to-date on this important topic ... such as through its many article contributions included in this magazine. In this issue, we aim to shed light on various facets of cannabis law, from intellectual property concerns to the challenges posed by the illegal market.

Firstly, the state bar extends its gratitude to the individuals who have

contributed their expertise to this magazine. There is so much going on in this area of law that the printed magazine can't contain it all— an additional article can be found online. Alicia Ashcraft, chair of the Cannabis Law Section, has provided an insightful piece on intellectual property issues in the cannabis industry, which can be found on our website. My sincere thanks to Alicia for her invaluable contributions.

This issue further delves into these legal intricacies. Tisha Black's article on the illegal cannabis market sheds light on the challenges posed by illicit operations despite legalization. On the home front here in rural Nevada, we have seen this reality, as many community members have the impression that because marijuana use is now legal that its use is now safe.

We are seeing issues pop up in our custody cases and specialty courts with judges struggling to educate individuals and families that marijuana is a mind-altering substance. Even if marijuana is legal, it can have the same destructive effects that abusing alcohol or prescribed medications has – listen to your budmaster! (As you will learn in this issue, there are many types and strains of cannabis, and not all of them are the right fit for your medicinal or recreational use.) Tisha's piece is a topic of immense importance as we strive to establish a regulated and safe cannabis industry.

Riana Durrett's article on rescheduling delves into the federal scheduling of cannabis and its implications for state-level regulation. Understanding the federal landscape is crucial for navigating the complexities of cannabis law effectively if you are

planning to represent a local or tribal government considering the opening of a dispensary or grow facility in its jurisdiction.

Layke Martin, executive director of the Nevada Cannabis Association, offers a comprehensive overview of the regulatory structure and changes brought about by SB328 in our article for CLE credit. As the regulatory framework continues to evolve, it is essential for legal practitioners to stay informed and adapt to these changes. Paul Larsen's exploration of excise taxation provides insights into the financial aspects of the cannabis industry, shedding light on tax implications for businesses and consumers alike.

Sean McCoy's article on consumption lounges highlights an emerging aspect of cannabis regulation in Nevada. As consumption lounges become increasingly prevalent, understanding the legal framework surrounding their operation is crucial. McCoy's expertise in this area offers valuable insights for both legal practitioners and industry stakeholders. Likewise, Jeffrey Barr's exploration of receivership for cannabis companies in Nevada offers crucial insights into a complex legal mechanism.

As we navigate the complex terrain of cannabis law, it's imperative to recognize the significant role that legal professionals play in shaping this burgeoning industry. From navigating regulatory frameworks to addressing intellectual property concerns, to addressing social trends and perceptions, the expertise of legal practitioners is indispensable. The State Bar of Nevada remains committed to providing resources and education to support our members in effectively representing their clients in this evolving legal landscape.

I would like to express my gratitude to all the contributors, members, and stakeholders who continue to support the State Bar of Nevada in our mission to uphold the principles of justice and promote excellence in the legal profession. Together, we can ensure that Nevada's cannabis industry operates within a robust legal framework that prioritizes safety, compliance, and innovation.

As always, if you have questions about any other issue germane to our work as a state bar, I invite you to write me with your questions and ideas. Please email me at president@nvbar.org. Thank you.