

YOUNG LAWYERS

BY ELLIOT ANDERSON, ESQ.



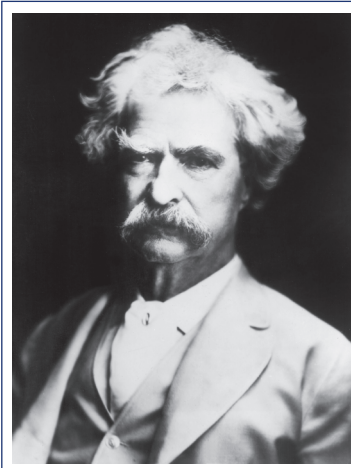
MARK TWAIN CAN BE WRONG TOO

As the story goes, Samuel Clemens—also known by his pen name Mark Twain—observed that “No man’s life, liberty, or property are safe while the legislature is in session.” Clemens’ admonition, though, is not fait accompli. Lawyers, and particularly young lawyers, are well-positioned to prove Clemens wrong.

Nevada’s legislative process provides many entry points for young lawyers to participate in shaping the laws that will affect our various practice areas—and our daily lives. Although meeting in Carson City, our state capital, most significant meetings are videoconferenced to the Grant Sawyer state building in Las Vegas, where the public can testify remotely via videoconference. Even if a meeting is not scheduled to be videoconferenced, it is sometimes possible to reach out to committee staff and ask for this accommodation—most staff and legislators understand the need to make these meetings accessible to those who live in Las Vegas. And the Nevada Electronic Legislative Information System (NELIS) allows anyone in the world to view what Nevada legislators are viewing when considering legislation—including amendments, exhibits and bills—whether at the committee level or as an entire house of the legislature. This bird’s-eye

view of the legislative process largely disposes of complaints I sometimes hear from lawyers during session about the accessibility of legislative materials. At the very least, this access, combined with the Nevada Legislature’s user-friendly website, makes it easy to contact legislators and bring comments on legislation to the forefront.

Not only do many entry points into the legislative process exist, young lawyers are also well-positioned to take advantage of these opportunities for persuasion. As any lawyer who has had to educate a judge knows, most people are not subject-matter experts in your practice area. Often, the biggest problems created at the legislature are problems no one notices; most legislators do not have the background knowledge or the time to ask the right questions. Lawyers should help spot issues well before we collectively find ourselves griping about the way the statutes on which we rely are worded. Contrary to popular belief, most legislators in Carson City are seeking to solve problems, not create them. Most legislation does not pass on partisan lines. With these dynamics at play, lawyers will find a receptive audience if they come forward with thoughtful and helpful insights on proposed legislation. No legislator wants to create problems



that cannot be fixed for another two years. Lawyers can be a friend to the legislature too, not just to a court. The collective knowledge of the Nevada bar can be put to good use as a public service.

When it comes to policy at the legislature, I remain confident that lawyers will be pleasantly

surprised at how easily we can make a difference at the legislature. I encourage you to take the first steps toward getting involved. As Nevada continues to move away from the common-law world in which Clemens lived, more than ever, we need the energy of young lawyers involved in crafting the statutes that govern our daily lives—and our livelihoods.

1. Richard Epstein, Rewriting the First Amendment, NYU Journal of Law and Liberty, (2014), available at <http://lawandlibertyblog.com/nyujll/2014/6/10/rewriting-the-first-amendment> (last accessed Dec 5, 2018)

Elliot Anderson graduated from the William S. Boyd School of Law (‘15). After graduating, he worked briefly as a bankruptcy attorney before clerking for the Honorable Judge Delaney. Anderson now works as a law clerk for the Appellate Division of the Clark County District Attorney’s Office until he leaves to clerk for the Honorable Justice Pickering in the fall. He also served as a Nevada legislator for four terms until he decided not to seek reelection in 2018.