

# Trial Advocacy Course Changed Justice Herndon's Career Path

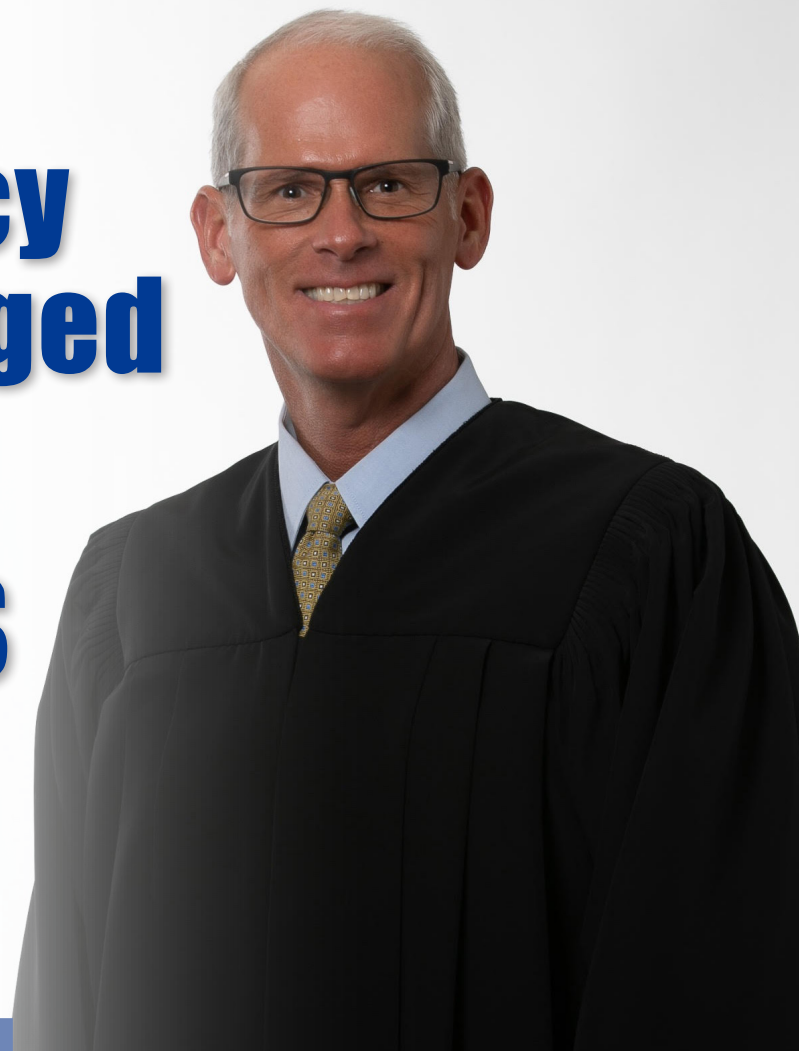
BY ROBERT HORNE, NEVADA LAWYER STAFF

**During his final semester at the Washington & Lee University School of Law in 1990, Douglas Herndon wasn't even sure he wanted to be a practicing attorney – until he took a course titled Trial Advocacy.**

That Trial Advocacy course sparked a passion in Herndon, which led him to focus his early career in the Clark County District Attorney's Office. And now, 31 years later, Herndon is the newest elected justice of the Nevada Supreme Court, the state's highest court.

"Up until that point, which happened to be my last semester in law school, I wasn't really sure that I even wanted to practice as an attorney," Justice Herndon said. "My first legal job was as a runner at a large firm in downtown Houston, while I was in college, and neither that, nor my summer clerkships in law school, had really sparked anything in me that I felt passionate about. Additionally—true story—I was really averse to public speaking, or at least I thought I was. Trial Advocacy wasn't required, and I took it to kind of force myself to confront the public speaking fear ... and I loved it! I knew a mere several weeks in that I wanted to be a trial attorney, which led me to the district attorney's office."

Herndon is a Texas native, having grown up in Houston. He graduated from Texas A&M University in College Station in 1986 with a Bachelor of Science degree in political science and a minor in statistics. He earned his juris doctor degree from Washington & Lee University School of Law in 1990—where he also found seminars on bioethics and the First Amendment impactful. He has practiced law for almost 31



years, having been first licensed in Texas before moving to Nevada in 1991.

Herndon began his legal career as an appellate law clerk in the Clark County District Attorney's Office from 1990-91. He then worked as a criminal prosecutor in the DA's office

from 1991-2005. Much of his time was spent running the Special Victims' Unit, where he focused mainly on child abuse homicide cases, and physical and sexual abuse cases involving women and children, Herndon said.

In 2005, then-Governor Kenny Guinn appointed Herndon to the Eighth Judicial District Court bench to fill the seat vacated by Ron Parraguirre's election to the Nevada Supreme Court.

While serving on the Eighth Judicial District Court bench, Herndon handled an all-civil docket (2005-07), a civil-criminal split docket (2007-17), and an all-criminal docket as chief of the Homicide Case Team (2017-20). He also served as the chief presiding judge over the Criminal Division from 2010-18.

"I was never someone who targeted being a judge when I was an attorney or who targeted being a justice when I was a judge," Herndon said. "I view myself as being incredibly fortunate to have always had jobs that I tremendously loved doing, and I tried to focus on appreciating, and repaying people for my good fortune by staying in the moment and

"I was never someone who targeted being a judge when I was an attorney or who targeted being a justice when I was a judge."

being the best I could be at those jobs. I've never had a five-year plan or anything similar to that. Rather, I've just tried to be in tune to when that feeling comes along that tells you that you've accomplished everything you wanted to accomplish in a particular role and it's time to move on and find a new challenge."

In 2018, Herndon—after getting the Homicide Case Team created and running successfully—knew he would not likely seek re-election to the Eighth Judicial District Court. In early 2019, Justice Parraguirre told him Justice Mark Gibbons was going to be retiring from the Nevada Supreme Court, and Herndon saw an opportunity for a new challenge.

"That conversation set a great many things in motion leading to my decision," Herndon said. "It was less about 'being on the Nevada Supreme Court' and more about the idea of continuing my public service, the new challenges and learning experiences it offered and, equally if not most importantly, the opportunity it offered to work in a collaborative environment with the six other justices, all of whom I knew in various capacities

and have tremendous respect and admiration for. And I have to say, it's been ... everything I thought it would be and more."

Herndon's career path focused on doing the best job he could in his position at the time, and that is his guidance for attorneys hoping to one day join the Nevada Supreme Court.

"First, be patient and focus on what you're doing now," he said. "Make sure it is something you enjoy and have passion about. If it's not, don't be afraid to make a change into another practice area. Enjoying what you do is what creates a successful legal career and will allow other opportunities to eventually present themselves.

"Second, I would think less about being a justice and more about being a judge. Same theory as above, if you are fortunate enough to become a judge and

you focus on enjoying and excelling in that role, you'll be successful and have the ability to consider an appellate court role down the road."

For attorneys working with Herndon's office, he said email is the best way to get in contact with his office. His assistant, Lindsey Lupenui, can be reached at [llupenui@nvcourts.nv.gov](mailto:llupenui@nvcourts.nv.gov). The office phone number is 775-684-1500.

"I have a terrific executive assistant, Lindsey Lupenui, who is as nice as can be and is incredibly knowledgeable. She can help you out with just about anything," Herndon said.

"Please don't hesitate to reach out if there is anything that we can be of assistance with. We might not know

the answer to everything, and there are obviously some things we are not allowed to discuss, but please don't be afraid to reach out with questions or concerns."

"I've just tried to be in tune to when that feeling comes along that tells you that you've accomplished everything you wanted to accomplish in a particular role and it's time to move on and find a new challenge."

# RESULTS MATTER

PEOPLE | PREPARATION | PERFORMANCE



OFFERING IN-PERSON & VIRTUALCASES

[WWW.ARMAADR.COM](http://WWW.ARMAADR.COM)  855.777.4ARM