

State of the Judiciary
Chief Justice Miriam M. Shearing, Nevada Supreme Court
Message to the Legislature of Nevada Sixty-Ninth Session
March 5, 1997

Mr. President, Mr. Speaker, members of our legislature, colleagues, and fellow Nevadans. Thank you very much for this opportunity to speak to you to fill you in on what has been happening in the judiciary of our state.

Before I begin my speech, I'm sad to announce that Justice John Mowbray died this morning at 4:00 a.m. at Desert Springs Hospital. He served the citizens of Nevada on the Supreme Court for 26 years and before that on the district court in Clark County. Funeral services will be at 11 a.m. on Saturday. I ask for a minute of silence for one of our dedicated public servants.

Senator Pat McCarran, who served on the Nevada Supreme Court from 1913 to 1918, stated, "There is no place on earth that constitutes so fine a political burial ground, as the bench." In the last couple of years, I have been wondering where that elusive burial ground went as we have continued to make political headlines. But the headlines seem to emphasize the negative and don't usually give an accurate or complete picture of what is really happening in our judicial system. That's why I appreciate this opportunity to talk to you about our judicial system, its problems, and the steps the lawyers and judges are taking to improve the service to the citizens of Nevada.

For those of you who are new to our justice system, I'd like to give you a brief overview of our judiciary. In giving that overview, it is interesting to note that, even though we are a relatively new state, the core responsibility of our branch of government, the judiciary, has not changed since the writing of the Magna Carta almost 800 years ago. The Magna Carta states, "All courts shall be open; every person for an injury done to him, goods, person, or reputation shall have remedy by due course of law; and right and justice shall be administered without favor, denial, or delay." It sounds as relevant today as it did in 1215, which indicates that there is a deep and long-standing social and political consensus as to what the people expect of the justice system.

The courts that most Nevadans see are the justice courts because they handle traffic offenses, misdemeanors, small claims and evictions, as well as preliminary hearings on felonies and civil matters in which up to \$7,500 is in issue. Each township has a justice of the peace, and the larger townships like Las Vegas and Reno have more than one. Nevada has 56 justice courts, with a total of 67 justices of the peace.

In the population centers where felony cases are a major part of the caseload, the judges are attorneys, but in most of the state the justices of the peace are not attorneys. That does not mean that they don't have legal training. We are fortunate to have the National Judicial College in Nevada so that our Nevada judges have the opportunity to gain judicial education relatively conveniently and inexpensively. Recently, I had the privilege of giving education awards to a great many of the JPs, each of whom had completed hundreds of hours at the Judicial College.

Except for the preliminary hearings on felonies, the vast majority of cases in justice court require

the judge to deal directly with the people, not through attorneys. That makes justice court particularly challenging because the judges don't have assistance from attorneys and, in order to do justice, the judge must often take a more active role in the proceedings. I have always considered the justice courts particularly important because it is the only court that the vast majority of our citizens ever experience.

Municipal judges also have a high volume because they process the traffic offenses and misdemeanors within the cities and the violation of city ordinances. They also deal directly with the people for the most part. We have 18 municipal courts with 29 judges, some of whom double as JPs.

Everything that is not specifically assigned to the justice and municipal courts goes to the district courts. We have nine judicial district courts with a total of 48 district judges. The district court is the general jurisdiction trial court. On the criminal side, the district court judges are responsible for felony proceedings including trials, pleas, and sentencing, as well as hearing petitions for habeas corpus and other post-conviction petitions. All jury trials, both criminal and civil take place in district court.

On the civil side, the district courts process every type of civil litigation that people file as long as the value is over \$7,500. That includes cases involving personal injury; contracts; real estate; corporations; review of agency decisions; homeowner association disputes; and anything else about which people decide to sue. Most of the district courts also process family matters like divorces; child custody disputes; paternity actions; child support; and juvenile matters. However, in Washoe and Clark counties there is a family court which was formed for the specific purpose of dealing with family law matters. Eight of the district court judges in Clark County and one in Washoe County are specifically designated family court judges.

That brings me to the Nevada Supreme Court which is responsible for appeals from district court judgments and some original proceedings, such as petitions for writs of prohibition or mandate. On appeals, the Supreme Court does not receive any evidence or testimony, but only reviews the record in the trial court to see if the proceedings were proper and the decisions legally sound. We also receive petitions for writs which are usually asking us to order either the court or some government agency to follow the law. The published Supreme Court opinions interpreting statutes or rules, ruling on constitutionality, or determining what the common law is where the legislature hasn't spoken, set the policy for the state until you in the legislature decide to change it.

The other element of our judicial system is the officers of the court--the attorneys. The Nevada State Bar has 4,194 attorneys in active practice. The State Bar, as well as the judges, are very concerned with the quality of law practice in Nevada. The State Bar conducts the written examinations and background investigations of attorneys applying for admission to practice in Nevada and also conducts the discipline proceedings against attorneys who are accused of ethical violations. The Bar also sponsors numerous continuing education seminars for attorneys throughout the year.

Of particular concern to all of us is the quality of representation in criminal cases, especially in

death penalty cases. Those cases get intensive review, not only in our court, but also in the federal courts. It is very wasteful of all of our resources if the trials are not conducted fairly and effectively in the first place, because it just means that retrials are necessary. I don't know how we can increase the quality of representation in these cases, but at a minimum, I believe we must have more mandatory education. It might also help if the level of compensation for the court-appointed attorneys was higher. Law office overhead is very high, and many of our best attorneys opt out of representing indigent defendants because the hours of commitment are high and the level of compensation is too low to even support the office. Attorneys are willing and do provide much free service, but death penalty cases are so all-consuming that if they do those for free or minimal compensation, they are very soon out of business.

As you know, most costs are rising, and that includes the cost of being in court. One of the concerns of both the lawyers and judges has been access to our courts. We can have the best legal system in the world, but if people can't afford to use it--can't afford to get their day in court--it is a failure. One approach that has been taken in recent years to help people to resolve their disputes inexpensively is to divert them from the courts.

Pursuant to enabling legislation that you passed in 1991, the Neighborhood Justice Center was established in Clark County. I am particularly impressed with the effectiveness and efficiency with which disputes are resolved there. Thousands of cases have been referred from justice courts and successfully resolved, not only relieving the courts, but also empowering people to solve their own problems. The center trains volunteer mediators who have donated thousands of hours in helping people resolve their own disputes in a peaceful, and often resourceful, manner. Of course, this also saves the people the costs, frustrations, and time of going to court as well as achieving a level of satisfaction that is often not possible in the courts. People can agree to many creative solutions to problems which the courts would not have the power to order. We all also benefit when disputes are peaceably resolved and do not escalate, perhaps preventing acts of vandalism or personal injury.

One of the most impressive programs of the Neighborhood Justice Center, and valuable in the long run, is the school peer mediation program in which students are taught how to effectively help peacefully resolve conflicts before they escalate. This has great potential to deterring violence in our schools and eventually in our communities. The peer mediation program has also assisted in the truancy prevention program in Clark County.

However, not all disputes can be resolved without court intervention. Protective orders, divorces, and bankruptcies must be handled in court and have many legal ramifications which require the assistance of an attorney. Yet many people simply cannot afford to hire an attorney. Out of this need to serve people with limited means, attorneys have instituted a number of programs to provide free or low cost legal services to those who cannot afford to pay a lawyer.

One type of program that county bar associations have instituted are pro bono projects in which referrals are made to attorneys who have agreed to provide legal services at little or no cost. The attorney's time is donated. In each of the pro bono projects throughout the state, family matters such as divorce, child custody and protective orders were the majority of the needs addressed. In the Clark County pro bono project, over 8,500 clients were served in 1996 and 95 percent of

those were on domestic matters. The Volunteer Lawyers of Washoe County reported that 80 percent of their clients were the victims of domestic violence. Despite the stellar efforts of the attorneys in these volunteer programs, the need is greater than the availability of services.

In 1994, the State Bar commissioned a Nevada Legal Needs Study in order to assist it in carrying out its mission to ensure reasonable access to the legal/judicial system for low- and moderate-income families. The study reported that approximately 108,000 households experienced at least one legal problem for which legal assistance was needed in the past five years. Low-income households experienced legal-related problems or needs more often than moderate-income households, especially in the basic needs areas of housing, employment, bankruptcy, and health care. Some households reported as many as 18 legal problems; the mean was 2.6 in five years. Sixty percent of these households had no legal help of any kind to resolve their problems.

Some of the reasons they did not look for legal help were that they thought it would be too expensive; they feared retaliation; they feared being turned down for legal aid; they didn't realize they had a legal problem; or they just didn't know where to turn. The survey revealed that most were not aware of the existence or availability of free or low-cost services.

Overall, the types of legal needs relate to financial matters--consumer problems, housing problems, and employment problems were the leading areas where assistance was needed. As a result of this study and the recommendation of the State Bar, last year the Supreme Court adopted a rule asking that each lawyer provide a minimum of 20 hours each year of professional service without a fee or 60 hours at reduced fee levels to persons of limited means or contribute \$500 to an organization providing free legal service. The Court also ordered the chief judge in each judicial district to appoint a pro bono committee to determine and address the specific unmet legal needs of that jurisdiction. The Court and Bar hope to make legal services available to those Nevadans who cannot otherwise afford them and to expand the present pro bono programs.

Each of the districts has complied with the order to establish a committee, but the outstanding work accomplished by the Washoe County committee chaired by Judge Connie Steinheimer is particularly noteworthy. The committee conducted research and investigation into the unmet legal needs of Washoe County residents and found that the most critical legal problems were, first, family law problems, including domestic violence, abuse and neglect, child support, custody, and divorce. The second most frequent problems were in the area of housing law, including landlord/tenant matters, discrimination, home ownership, and availability of affordable housing. The third most frequent problems related to income and financial matters, including credit, bankruptcy, consumer cases such as auto repair and home improvement matters, and access to government benefits.

To meet these unmet needs, the committee has formed the Washoe County Access to Justice Foundation which will raise money for, and actively promote the provision of civil legal services to disadvantaged persons and households. The foundation will also provide leadership in accessing and developing new sources of funding to support and expand the provision of civil legal services to the poor and develop and support initiatives to increase equal access to justice. There is an increasing deficit in legal services because of the continuing growth of the low -and

moderate-income communities and decreasing federal funding for civil legal services. Therefore, this effort by the Washoe County legal community is wholeheartedly welcomed by those now struggling to meet the legal needs of the community.

And there are those organizations that have been valiantly struggling to help. Despite a drastic cut in federal funding, Nevada Legal Services last year completed 6,800 cases involving approximately 17,000 people in its priority areas of housing and public benefits. Clark County Legal services completed 1,427 cases involving approximately 3,000 individuals in its priority areas of consumer problems, Social Security, and civil rights. Yet according to the last census, there were 119,000 Nevadans below the poverty line, which has to mean that there are many unmet needs.

Because of the severe funding limitations, both the staffed legal service organizations and the pro bono projects have been forced to narrow and limit their focus on the most desperate needs of clients. Consumer law problems have been virtually untouched and immigration representation is virtually non-existent, leaving immigration clients easy prey for people who purport to be able to help, but do not; they just take their money and produce no results. Affordable housing will continue to be an intractable problem caused by the unrelenting population growth of the state. I hope that some of the initiatives by the Access to Justice Committees can help.

Meanwhile we have other programs that assist our citizens. Both Clark and Washoe counties have senior citizens law projects. We are all aware of the dramatic increase in the number of senior citizens living in Nevada. The over-85-year-olds are the fastest-growing segment of the population. The southern Nevada program sponsored by the City of Las Vegas each year serves approximately 5,000 persons over 60 years of age free of charge and the Washoe County project assists about 1,500 clients. Both programs provide assistance in preparing wills, assisting in small claims court, assisting with Social Security, estate planning and consumer problems. Both programs also provide service to home-bound and nursing home residents.

Another program for providing free volunteer legal services is starting in Clark County specifically to meet the needs of children involved in the legal system. This is the guardianship attorneys program aimed at advocating for the neglected and abused children in the custody of the county or state, the children involved in disputed child custody cases, and those children caught up in delinquency proceedings who really are in need of professional treatment. Having served as juvenile court judge, I know that many of the children need help in seeing that their interests are considered rather than being a pawn in some adult's agenda.

I know that we've all heard, and probably told, attorney jokes. In fact, I think I've even heard some reference to them in this legislature's committee hearings. But I want you to know that you have reason to be proud of Nevada attorneys. They have donated countless hours and their professional skills to help the less fortunate in Nevada.

The Young Lawyers Section of the Nevada Bar is particularly to be commended for its action during the recent flood. They immediately organized a training program for lawyers so that they could provide legal assistance to those who were victimized by the flood. The program was even taped and used to train northern California attorneys in the rural areas that were devastated by

the floods; most of the California attorneys had no knowledge of how to gain Federal Emergency Management Agency (FEMA) assistance. The Nevada Young Lawyers set up stations at emergency shelters and gave free advice to Nevada flood victims on insurance coverage, on FEMA funds availability, and on all kinds of associated problems like whether they had to pay rent or were responsible for damage.

There are other ways in which our lawyers are helping our communities. The Clark County Bar Association has established a trial by peers program which diverts cases from the juvenile courts and allows some juvenile offenders to be tried and sentenced by their peers. Volunteer attorneys introduce young people to the justice system by providing an eight-week training course to students who then serve as prosecutors, defense attorneys, judges, and jurors. The type of cases they hear are the less severe offenses like petty larcenies and vandalism. You may not be surprised to hear that the sentences that the students give are more severe than those in juvenile court. Even if a juvenile is found not guilty, he or she must then return for jury service. The education provided is invaluable and the recidivism rate from this program is phenomenal--only one student has reoffended!

Lawyers and judges throughout the state conduct mock trials in both grade and high schools. The trial of Goldilocks is a big hit! We believe that it is vital that our young people understand our legal system and can appreciate the protections and opportunities that it affords.

Both the Washoe and Clark County bar associations conduct special programs at public places like malls on May 1, which is Law Day, giving free legal advice and publicizing the free legal services which are available. This year the Clark County Bar is going to do something different by donating services to build a house in conjunction with Habitat for Humanity. Judges, lawyers, and many others in the legal system have volunteered to help build the house. The lawyers have also raised money and secured contractors and vendors to commit time, products, and equipment toward the house.

I've only discussed the activities that have been officially sponsored by our lawyers' organizations, but I'm sure you know that the contribution of our lawyers to other community activities is considerable in both time and money. I hope you are as proud of the contribution made by our Nevada attorneys as I am.

Another aspect of insuring that our Nevada citizens receive the benefits of our system of justice is to assure that everyone receives fair treatment in our courts regardless of race, religion, gender, or economic status. In 1993 the Supreme Court established a task force for the study of racial and economic bias in our justice system. This effort was funded at the last session of the legislature. A number of public hearings have been conducted throughout the state and studies have been conducted by both UNLV and UNR on various aspects of our justice system. A preliminary report has been received from UNLV in which the faculty collected and analyzed empirical data from the public and state and local justice-related agencies. The initial findings from the study suggest that significant racial and economic inequalities do exist in Nevada's justice system.

When the final reports are issued we plan to review the results and recommendations and take

appropriate action. I would suspect that education programs will be needed for those working in our justice system to make them aware of how they may be discriminating and help them to remedy the problems. We all believe that we make decisions based on principle, not prejudice, but often we don't even recognize our own prejudices until they're pointed out to us. I hope to incorporate into any education program the recommendations from the earlier gender bias task force as well as the recommendations of the current task force.

On a happier note, on May 8, 9, and 10 of this year, Nevada is hosting the ninth annual meeting of the National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts. Nevada representatives will be actively participating in the programs as well as gaining ideas and information from the experience in other states. I know that a number of chief justices from around the country will be attending.

I have received reports from judges throughout the state and some common themes emerge. The rural justice and municipal courts are particularly impressed with the possibilities now open to them with technological advances.

Being able to conduct arraignments by video can result in many savings. Often the jails are many miles from the courtrooms. For example, Dayton Justice Court is 54 miles from the jail. By installing video equipment in the jails and courts, the county is able to cut down on time, transportation costs, and attendant security risks. In Lyon County, all four of the Lyon County justice courtrooms are being equipped with cameras and terminals so certain hearings can be conducted without the necessity of transporting prisoners.

On the other hand, many of the rural courts cannot afford to take advantage of the tremendous strides being made in technology which can make every aspect of running the courts easier and more efficient. I believe all courts now have computers, but many are old, outdated or on their last legs. Computers are not only important for sharing information, but also to improve efficiency in tracking records and accounts receivable.

The big project that the Administrative Office of the Courts is now undertaking is to tie in the various computers in the state with each other, with the Department of Motor Vehicles, and the criminal justice information repository. For too long offenders could get away with multiple offenses without having to pay. A person could be convicted of a DUI in one township or county and be convicted of another DUI in another area. The second judge would not know of the first conviction and would treat the second conviction as a first offense. Similarly, warrants would be issued in one jurisdiction and when the offender was in court in another jurisdiction and he might be released on his own recognizance because the judge was unaware of the warrant. Temporary restraining orders in domestic violence cases are also another source of problems across jurisdictions.

The availability of information has been on a hit-or-miss basis. The technology is now available that those scenarios shouldn't happen. Actually, the technology has been available for a long time, but we in government often lag behind in taking advantage of technological advances because we don't have the flexibility in financing. It is to be hoped that in the near future all criminal justice information will be immediately available to all courts throughout the state. I

would think we will also be able to save more of our trees by communicating electronically instead of on paper.

All of the justice and municipal courts have programs to increase the rate of collection of fines. Various methods are being used, including using collection agencies; adding marshals; allowing credit card payments (even by telephone); mailing notices before issuing warrants; hiring a judicial enforcement officer to monitor payments; and just plain hard-line judicial enforcement.

Of course, not everyone can afford to pay fines and most courts have alternative work programs. Many thousands of man-hours are contributed by offenders throughout the state on beautification, cleanup, and other civic projects. In Carson City alone, last year 920 people contributed 24,380 hours of community service. Even in the less populated area of the Argenta township in Lander County, thousands of hours were donated to the community. The Las Vegas Municipal Court reports that \$2,000,000 worth of labor was contributed by defendants!

One option that most justice and municipal judges use in sentencing defendants are counseling programs. They require counseling in lieu of, or in addition to, fine or jail for certain offenses. Drug and alcohol counseling programs are particularly popular and effective. In Dayton, 90 percent of DUI defendants are ordered into drug or alcohol counseling for one to three years, with strict requirements and close monitoring. The results have been excellent. In Moapa Valley Township the number of DUIs have been reduced by 50 percent and the number of repeat offenders by 90 percent by a combination of tough sentencing and required treatment.

Las Vegas Municipal Court has the most diversion programs for various types of offenses. The philosophy of the Las Vegas Court has been to divert, when appropriate, first- and second-time non-violent misdemeanants to self-funded diversionary programs in lieu of high fines and jail sentences, in the hopes that long-term solutions to problems can be found. The court's traffic school processes 27,000 violators each year, and in 1996, for the third year in a row, the National Safety Council has presented its "Best Performance" award in the category of state, municipal, and county governments to Las Vegas Municipal Court Traffic School.

In Las Vegas Municipal Court, domestic violence offenders are ordered to the court's domestic violence program. A recent study has shown that the recidivism rate for those who completed the program was 8.4 percent, while the rate for those who did not complete the program was 20 percent.

Las Vegas also has an evaluation center for those who have committed offenses while using drugs or alcohol. The center provides treatment recommendations for their substance abuse. A study of 1,090 clients revealed that 82 percent had not reoffended. Of the offenders who completed the court's DUI program, only 7.6 percent had a subsequent DUI. Las Vegas Municipal Court has always been in the forefront in taking advantage of technological advances, so that that court is able to generate statistics that are not feasible for many courts. Of course, the access to services is hindered in the rural townships by the great distances one must travel to obtain services. For example, in Austin, the nearest counseling for domestic violence is 90 miles away. An effective program must be closer to home. We're hoping to develop one soon.

One request that many municipal and justice courts in rural areas have made is that they have some access to the probation department. Alternative sentencing, in other words, not just fines and incarceration, requires monitoring, and most of the small courts do not have the resources or staff to do effective monitoring. The Carson City courts have in effect created their own mini-probation department, but most townships cannot afford to do that. Many of the diversion programs are effective in providing a long-term solution to problems rather than just a quick fix, but monitoring is necessary for their success.

The district courts report a steady increase in case filings. The area that seems to be increasing at the greatest rate is family law. Perhaps part of that is due to the increased emphasis on preventing domestic violence and increasing child support collection, but even basic custody disputes seem to be increasing. Perhaps fathers are seeking to take a more active role in their children's lives rather than leaving everything to the mother as happened previously.

Of course, I'm sure you have heard that the greatest growth has been in Clark County. In addition to the approximately 1,120,000 residents served, the 2.5 million visitors each month also have an impact on the justice system. In 1996, 55,903 cases were filed, resulting in 2,541 cases per judge. This is about twice what is nationally recommended. The prospect of litigating all those cases by traditional means is more than enough incentive for creativity.

Part of the solution has been to use the services of masters to hear specialized kinds of matters like discovery, paternity, child support, juvenile delinquency, and mental commitments. Also, Clark County has gone for greater specialization, dividing into civil and criminal courts. Clark County has also made extensive use of alternate dispute resolution. Last year, 4,248 civil cases were diverted to alternate dispute resolution. One diversion program that has been particularly effective has been the drug court. Drug addicts are taken out of the criminal system and put into a treatment program lasting one year with regular testing and court appearances required. There are presently 850 addicts in the program. The drug court has had 588 graduates and only 52 have been arrested on any charge. As any of you know who have dealt with drug addicts, that is an extremely low rate of recidivism. The best reward for Judge Lehman who started the drug court in Las Vegas is the number of graduates who have come up to him and thanked him for changing their lives and saving their families.

Based on the success of the adult drug court, a drug court has also been started for juveniles in Clark County. It's even more important that we succeed with our youth. In Washoe County, a drug court is also in operation in the adult as well as in the family court for adults and juveniles. In Washoe County, the family court drug court is specifically addressing the needs of addicted women with children who invariably face almost insurmountable problems relating to housing, employment, child care, in addition to their addiction. One judge described this program as "wildly successful."

The Washoe County Family Court has been particularly successful with its mandatory settlement program in domestic actions, including divorces. Ninety percent of the 8,032 cases are settled. About three out of four child custody disputes are successfully mediated.

Both Clark and Washoe counties have excellent Court Appointed Special Advocate or CASA

programs in which highly-trained volunteers represent the interests of children who are abused or neglected or who are caught in nasty custody disputes.

In the family courts in Clark and Washoe counties and in the other counties that do not have family courts, the biggest increase in case filings is in protection orders against domestic violence. Thousands are issued annually throughout the state and many more thousands inquire about them at our courts. That shows that this legislature was filling a real need when it passed the legislation authorizing the courts to issue the protection orders.

Despite the increasing caseloads and the multitude of problems in Clark and Washoe counties, the judges there are lucky because they have greater resources and some flexibility in meeting problems. I'd like to see a justice center in Las Vegas, but I don't envy Judge Papez who has to sit in courthouses in White Pine and Lincoln counties with no central heat or air conditioning. There are window coolers and heaters, but they are so noisy they have to be turned off when court is in session. Neither do the rural judges have some of the services available in the bigger cities to help defendants, victims, and the communities. On the other hand, in the communities where everyone knows everyone else, the community pressure can be a major deterrent to committing crimes. One of the judges in a rural area commented on how parents are willing to endure unbelievable commutes to work just to be able to raise their children in the small town environment.

The courts are constantly seeking ways to improve their delivery of services and the efficiency of operations. The Clark County Family Court has contracted for an organizational and workflow analysis as a step toward developing changes directed at expediting and facilitating early and lasting resolution of domestic disputes. However, the very nature of our role precludes a mass production or assembly line approach. Each case must be processed, heard, and decided individually. Criminal trials, child custody issues, and the myriad of other types of cases cannot be decided by formulae. Justice has to be tailor-made to fit each case. Justice cannot be sacrificed in the name of efficiency. The Clark County District Court has contracted for assistance in developing a more advanced and efficient juror summons and management system. I regard our jurors as one of the greatest resources we have and some of our greatest advocates. Jurors have gotten a bad rap in recent years because of some highly publicized cases, but I respect jurors. We have hundreds of regular citizens serving as jurors in this state. Sometimes they come in very reluctantly and with a very negative attitude toward either our courts or the defendants or the prosecutors. My experience has been that even when they come in with attitudes, they still take their duties very seriously, deliberate honestly and reach a fair verdict. I found that most regard jury service as an overall favorable experience. They come to realize how carefully we try to protect the rights of the individuals and how meticulously evidence is presented. Many jurors have commented to me what a valuable experience jury service was and how their respect for our system has increased.

I haven't talked to you about the problems and proposed changes for the Nevada Supreme Court because I'm sure you'll be hearing about them in the Finance and Judiciary Committees. I'll just say that for the first time we've tried to present a comprehensive plan which will allow us to provide the necessary service to the citizens of Nevada in a timely and efficient manner. It hasn't been easy. As my learned colleague, Justice Young, reminded us the other day, "When you're up

to your waist in alligators, it's tough to start planning how to drain the swamp." I've tried to give you an overview of how our justice system is serving the citizens of Nevada and how we are constantly trying to improve our service, with an ever-increasing workload and sometimes with inadequate resources. The vast majority of the lawyers and judges of our state are dedicated to serving the citizens of Nevada and are trying to make our justice system work ever better. I hope we, in our separate branches of government, can work together to achieve that goal.

United States Supreme Court Chief Justice Warren Burger said, "Ideas, ideals and great conceptions are vital to a system of justice, but it must have more than that--there must be delivery and execution. Concepts of justice must have hands and feet or they remain sterile abstractions. The hands and feet we need are efficient means and methods to carry out justice in every case in the shortest possible time and at the lowest cost. This is the challenge to every lawyer and judge in America."

The lawyers and judges of Nevada are doing their best to meet that challenge. Thank you for the opportunity to tell you about it.