

**INVESTITURE**  
**OF**  
**JUSTICE A. WILLIAM MAUPIN**  
**JUSTICE MARK GIBBONS**

**Monday, January 6, 2003**  
**2:00 p.m.**

**Old Assembly Chambers**  
**Capitol Building**  
**Carson City, Nevada**

**IN THE SUPREME COURT OF THE  
STATE OF NEVADA**

**CHIEF JUSTICE DEBORAH A. AGOSTI**

**JUSTICE MIRIAM SHEARING**

**JUSTICE ROBERT E. ROSE**

**JUSTICE MYRON E. LEAVITT**

**JUSTICE NANCY A. BECKER**

**JUSTICE A. WILLIAM MAUPIN**

**KENNY C. GUINN, GOVERNOR OF NEVADA  
CHARLES J. SHORT, COURT ADMINISTRATOR,  
EIGHTH JUDICIAL DISTRICT COURT**

**INVESTITURE OF A. WILLIAM MAUPIN**

**INVESTITURE OF MARK GIBBONS**

**MICHAEL GIBBONS, DISTRICT JUDGE**

**NANCY OESTERLE, JUSTICE OF THE PEACE**

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## INVESTITURE PROCEEDINGS

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**BAILIFF:**

All rise. The Supreme Court of the State of Nevada convenes in special session for the administration of the official oaths of office to the Honorables A. William Maupin and Mark Gibbons, Chief Justice Deborah A. Agosti presiding. Please remain standing.

**CHIEF JUSTICE AGOSTI:**

Good afternoon. The Nevada Supreme Court is in a special session to conduct the investitures of William Maupin and Mark Gibbons. We will proceed with the invocation and the pledge of allegiance. All please remain standing for the invocation to be given by Chuck Short who is the Court Administrator for the Eighth Judicial District Court.

**CHARLES J. SHORT:**

Let us bow our heads. Lord, we ask Your blessing on all those gathered here today in Nevada's capitol, home of our executive, legislative, and judicial branches—the pillars of our democracy. We thank You for the return of Bill Maupin as a justice of our supreme court, and for the selection of the state's newest justice, Mark Gibbons. May his experience as a respected attorney and highly regarded trial court judge serve him well as he embraces this new opportunity. With his selection we are reminded of our retiring justice, Cliff Young, for whom we ask Your blessing. We rejoice in the recognition that has been accorded to both Justice Maupin and Justice-elect Gibbons by our state citizens. May they and all the members of this esteemed court be blessed with wisdom, strength to find common ground, and years of good health to pursue their arduous duties. For this we ask in Your holy name. Amen.

**CHIEF JUSTICE AGOSTI:**

Thank you, Mr. Short. Ordinarily, the task of leading the pledge of allegiance falls upon the Chief Justice of the Supreme Court of Nevada. But, I am going to reassign that task today to an executive official who is here visiting us, a person for whom I have the highest regard—capable, able, tough as nails—my son, the president of the student body of Our Lady of Snows Elementary School. Austen Walsh, if you'll step forward to lead us in the pledge.

**AUSTEN WALSH:**

“I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

CHIEF JUSTICE AGOSTI:

Thank you, Austen. You may be seated.

It's a pleasure and privilege to be here today to celebrate the commitment of two individuals to the Supreme Court of Nevada, the first being Justice Bill Maupin who has just completed two years as the Chief Justice of the Nevada Supreme Court and I'm sure when people start talking about the Chief, I'm going to look over to him before it occurs to me that my head doesn't turn that way any more; and the second individual, of course, is Judge Mark Gibbons of the Eighth Judicial District Court, soon to be Justice Mark Gibbons, our newest associate justice. Echoing the sentiments of Mr. Short, the very, very able administrator of the court in the Eighth Judicial District, this is almost a bittersweet moment because by honoring and celebrating the investiture of Mark Gibbons, we are also saying goodbye to our good friend and colleague, Justice Cliff Young. I've been proud and privileged to serve the past four years with Justice Young, as have we all. He's been such an inspiration, a fountain of wisdom, and a colleague in all the positive senses of the word—very much the gentleman.

I would like to introduce the other members of the court who are here. Starting at my left, Justice Nancy Becker; my immediate right, Justice Robert Rose, who was my first Chief Justice. He presided over the swearing-in ceremony for Nancy, myself, and Myron. To my right, Vice Chief Justice Miriam Shearing; and to her right, Justice Myron Leavitt; and to his right, Justice William Maupin.

There are constitutional officers and dignitaries present who I would also like to introduce at this time. First and foremost, of course, is, newly sworn in this morning, Governor Kenny Guinn. And we have with us, and we are thrilled to have him here today, along with his wife, Senior Justice Cliff Young. We also have the State Controller, Kathy Augustine. And from the Ninth Judicial District Court, we have Judge Michael Gibbons. We have with us the most dynamic Justice of the Peace in the State of Nevada, Judge Nancy Oesterle. And performing the invocation, an individual that I would like to reintroduce to you now—a man that I admire very much; he has a very difficult job managing the administrative affairs of the largest district in the State of Nevada—Chuck Short, Court Administrator for the Eighth Judicial District.

Aside from these, we also have with us individuals who have accompanied Justice Maupin here today to celebrate his recommitment to the Supreme Court of Nevada. That includes his daughter, Allison Maupin. And we have Sandy Placak, his niece. And then three very close friends of Justice Maupin's. First is Liza Schumacher. Next, she's here today as Justice Maupin's friend, but I think she's a friend to a great many of us, a woman who used to

come over to my house and play with my kids when they were babies—Lucy Foley. And finally, May Mushkin.

Now, accompanying Justice-elect Gibbons, we have first and foremost, of course, his wife, Sandy Gibbons. You know when I was invested, my mother traveled from Ohio to be here, and I think she was more nervous than I was and that is saying a lot. I think moms take these momentous events particularly to heart and I'm sure she's extremely proud of you—I'd like to introduce Justice-elect Gibbons' mother, Dorothy Gibbons. And a cast too numerous to mention, so I've been told not to, but there are other members of Justice-elect Gibbons' family here. If you would all stand and be recognized as a group, I'm sure everyone would like to know who you are.

We will now introduce Justice-elect Gibbons' former staff members from the Eighth Judicial District Court. This is a very pleasant task. These are the individuals that worked so hard with Justice-elect Gibbons when he was in the trial court and also serving as the Chief Judge for that very busy trial court. We have Tina Hurd, Jason Cook, Lisa Cologna, and Renee Silvaggio. And then there is the small matter of the current staff. First, and we're so happy that she will be working with Justice-elect Gibbons because she was the secretary and assistant to Justice Young—Jan Doescher. And the law clerks, we can't forget the law clerks—Cory Watkins and Sonia Williams.

There are many members of the judiciary present, and I don't know that we will have time to recognize everyone individually, but we did particularly want to mention the presence—because we're very honored to have his presence here today—Judge Howard McKibben of the U.S. District Court. We have a number of district judges. Some have traveled a great distance to be here; others have come down the road from Reno to be here, but if all the district judges who are present would stand and be recognized at this time. If I knew it was just going to be Jan and Deborah and Connie, I could have gotten away with saying that instead of saying, "I won't introduce all those judges." That would be Jan Berry, Deborah Schumacher and Connie Steinheimer, women that I proudly worked with when I was in the district court and who I'm glad to see here today and who I swore in this morning.

We have a number of justices of the peace, municipal court judges, and I believe in the case of Judge Johnson, at least one retired member of that group of judges, so if all of you would please stand and be recognized.

I understand that there are a number of state legislators present today; if all of you would stand so that we know who you are. If there are any members of the Senate, members of the Assembly, who would like to stand and be recognized.

There are, in addition to the many dignitaries who have been introduced so far, three individuals who I would like to introduce to you at this time. We're very honored to have with us today the president of the National Judicial College, a very prestigious organization situated in Reno, Nevada, and that is the Honorable William Dressel. We also have present on behalf of the State Bar of Nevada its executive director, Allen Kimbrough. And saving the best for last, of course, because she said she has got the "Queen Mum" wave down, we'll get a glimpse of it in a minute, is the president of the State Bar of Nevada, Gloria Sturman.

Our first speaker today is a man who needs no introduction, but he's going to get one anyway. That is Governor Kenny Guinn, who begins today his second term as the Governor of the State of Nevada. A man for whom I have the highest regard and I know I'm not alone in that admiration. Governor Guinn has been beyond a politician. He has been a statesman who has tried so hard to do what is right for Nevada, taking the road sometimes that is more difficult in order to achieve the right and just result; an individual with dedication, integrity, and compassion, and I know I'm not alone in those sentiments. I think Nevada is very fortunate, particularly at this time with so much uncertainty as we face this next legislative session, to have the leadership of Governor Guinn.

GOVERNOR GUINN:

Well, thank you very much. It is an honor to be here today. I do want to apologize before I say anything. It's not that I'm going to say anything that you wouldn't like, but I do want to apologize for the fact that we still have about four hundred guests over at the mansion, and I told them I would be back. And as you remember, when you give your word you need to follow through. So after I speak, knowing Mark and having listened to him, I wished he was a speaker here today because I heard him at a couple of other swearing-in ceremonies for judges. He did a phenomenal job, and he gave me that speech to use today. So I will excuse myself after just a few minutes here.

And I want to say to you that if you are feeling sorry for me right now, please don't. If you ever have to have somebody at your back, you would want this group of honesty, integrity, friends, and great people at your back. It's all of you who are facing them that have to worry. You never want to have to face this group. If you do, you'll need more help than I can give you. But it is a pleasure because I've worked with the individuals here, along with Justice Cliff Young, for the last four years. We spent about eight days in that period of time—two days a year roughly—at the pardons board, and it is one of the most difficult jobs. And for me, as a nonlawyer, I must tell you that I learned a great deal about the difficulties that I would have being every day in the positions they

work. It's an awesome responsibility when you are looking at someone who has been in prison for maybe twenty-five or thirty years and you look at all the history of it, and you have to make a quick decision: do they get a break or do they get out or do they stay in the rest of their life. And those are difficult times. But I couldn't think of any other group I'd want to be with outside of you, and I would say that to you publicly, because they've been very patient with me, and I think it's been very good. And to you, Justice Young, thank you for not always correcting me when I needed to be corrected. I really appreciate it.

But Madam Chief Justice, Honorable Justices of the Supreme Court, and Justice-elect Mark Gibbons, and reelected past-Chief Justice Bill Maupin. What a fine man he is. He was the Chief Justice and due to the fact that Justice Young was going to be retiring, it was kind of a really great thing for him to do, along with the approval of the other justices, for him to step down and allow Justice Young, after all of these many, many years, to go out of his service as a Chief Justice of the Supreme Court of the State of Nevada, and for that I thank you. I think it was a marvelous, humanistic thing to do and so thank all of you for doing that.

It certainly is a great pleasure and honor for me to be here to join with you in this very special occasion, especially for those newly elected and reelected individuals. I'd like to first recognize Justice-elect Mark Gibbons and his family and friends. And I want to thank all of you for coming, because without a good family and without the support of a family, these kinds of milestones in one's life could never be reached, and so I want to thank you for taking the time and the effort to come and be with Mark today. (*Speaking to Sandy Gibbons.*) It's a very special day and for you, as a spouse and the individual who I think has really helped him tremendously, thank you for being a great supporter of Mark. I think that's wonderful. I know that you must all be very proud to be here today also.

And Mark, I offer you my heartfelt congratulations on your success. A brief look at your accomplishments shows why you are held in such high esteem by your colleagues and the citizens of this state. I object to the fact that you were anointed. I know what it feels like to not be anointed. You set the stage by your hard work and your courageousness so that when people saw your name they knew what you stood for and therefore you were overwhelmingly elected, of course, and you are the only person that got more votes than I did. Some of you may not know this, but in 1998, Mark received a ninety-seven percent recommended retention rating. That rating has not been exceeded by any district judge since the Clark County Bar Association first began conducting surveys. That is a phenomenal feat year after year handling the tough cases that one must take. I think it really speaks for itself.



Beyond the honors you have received, Mark, and your professional accomplishments, is the manner in which you perform your work. You run your courtroom with the highest of integrity and you treat each person with dignity and respect and understanding, which we all should do no matter what level we attain.

Most noteworthy is your commitment to Nevada's senior citizens. As demonstrated by your many years of service to the Senior Citizens Law Project, you have earned the respect of all those with whom you work. I know that your diligence and commitment will continue in your new role as a Justice of the Nevada Supreme Court.

Again, I offer you my congratulations, Mark, and I know that you will serve the people of Nevada with dedication and distinction, and I know that you will serve well on those two tough days every year that we have. You will do it with great humanistic relationships for the cause of good for people.

Also, I offer my congratulations to my good friend, Justice Bill Maupin, immediate past Chief Justice. And I want to welcome Bill's family here today. Bill, your knowledge of the law and wisdom of the law, combined with your compassion for others, has earned you a second term as a supreme court justice. I know you are proud of that, but I think I'm even more proud of it. Your service on this court, as well as during your time as Chief Justice, clearly demonstrates that you possess the experience, skills and personal qualities to be a supreme court justice. It also indicates that you have all the means and the tools to meet the special challenges you always face. It also says that you have sacred responsibilities you will meet with great dignity and that that which a justice of this court faces on a daily basis, you handle so well. Again, I want to congratulate Bill on a well-deserved second term.

In closing, I would like to thank all of the members of this court, the highest state court in Nevada, for their hard work. I know what they do. They have really done a tremendous job in the fastest growing state in America and some of the fastest growing urban areas, especially in Clark County, to take on the number of cases they have that were backlogged and to reduce them. That is an indication of intelligence, hard work, and dedication to get the job done. As we continue to be the fastest growing state in the nation, I know your caseloads will become more burdensome each day, and sometimes without more staff and without more help. However, no matter how busy you are, each of you maintains the integrity of this esteemed court and that's what courts are built on, the dignity and the esteem with which they are held by the people who elect them. And it always considers, which is essential, each issue in light of fairness and justice. If I ever had to be in front of a court asking for a pardon, which I fully don't intend to do, I would choose this court because I've watched them now for four

years—they use toughness, fairness, and heart to make their decisions. I’m very proud of our judicial branch and all Nevadans should feel blessed. We have a dedicated supreme court. One which works to ensure that all citizens have equal access to the law, which is critical to a successful court.

I want to thank you for making me a part of this special ceremony, and I want to say “God Bless” to each of you, your families, and this great State of Nevada. And again, I would only say I’m very proud to call each one of these individuals my peers in terms of a professional role that we play for this state and also as friends, and I want to let them know that they have the highest respect from me that anyone could possibly have. And I know that the new member coming on, Mark, we’re very excited about you coming on. You are taking the place of a great man. They are hard shoes to fill, but I can’t think of anybody who would do a better job than you coming on to the Supreme Court for the State of Nevada. So thank you for giving your time and effort out of your life to do this very important job for Nevada. Thank you very much.

CHIEF JUSTICE AGOSTI:

Governor Guinn, thank you very much. We know your time is very limited, particularly today. We appreciate your time and your interest in being here. In a moment, we will do the first of our investitures. We will swear in Justice Maupin. I will administer the oath of office.

#### INVESTITURE OF JUSTICE A. WILLIAM MAUPIN

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CHIEF JUSTICE AGOSTI:

Justice Maupin, because this will be the commencement of his second term, has elected not to have individuals speak on his behalf. It will be a little bit different from the presentation that we will have for Justice-elect Gibbons. And because Justice Maupin has elected not to have anyone speak for him, he will make brief remarks himself. I’ll just take it upon myself to be his speaker for a minute or two and just say what a hard act he is going to be to follow as the Chief Justice. Bill has worked tirelessly for the good of the court for the past two years. To watch him as he gets to know people—I call it “working the crowd”—but Bill seems to know everybody, and everybody knows Bill and everybody likes him. He’s worked very hard. He’s a wonderful representative for the court. His high intellectual effort is always appreciated. His background as an attorney, I think especially lends to his expertise

as a very, very, very strong contributor to this court and I am honored to be his colleague and honored to consider myself his friend. I also think he has wonderful taste in the people that he has asked to hold the Bible, so we will at this time begin the oath of office for Justice Maupin. (*Chief Justice Agosti administered the oath of office to Justice Maupin.*)

Congratulations. You are now duly installed. Ladies and gentlemen, I offer to you Justice Bill Maupin.

JUSTICE MAUPIN:

Six years ago I stood in this room, and I said at that moment that that was the most important moment of my professional life. And I say it again today after having served on this court for six years and having been blessed by a reelection by the people of this state: this is truly the most important moment of my professional life, and I am very grateful for the opportunity to serve another six years. That reelection would not have been possible if it was not for the people sitting behind me and Justice Young, my colleagues on this court. What an honor to be in the same room with them.

The new era that this court represents now makes it an effective, collegial, academic court that does its very utmost to serve the people of this state. This reelection is also about the commitment of the legal system in Nevada—the lawyers that come to court and represent people with their real-life problems every day. It is the legal system that is symbolized by this court and all the courts around this state that provides the great barrier between the power of government and the governed, its people.

Let me say just a word about one of my colleagues who retires and is about to be replaced by one of the most talented lawyers and judges in our state: a two-term Congressman; years in the state Senate representing Washoe County; the eighteen years on the Nevada Supreme Court. Let me tell you, when I first walked into my first conference with him it was very intimidating, but he made me feel welcome and he has been my mentor. Nevada is proud of him and I can speak for all of us Nevadans when I say that he has honored us with his service. So I would like all of us to applaud Chief Justice Cliff Young. (*Standing ovation for former Chief Justice Young.*)

Lucy; May; my niece, Sandy; Liza; and my daughter, Allison, thank you for being with me today. And I want to thank one other person before we commence into his investiture, Mark Gibbons. Thank you for the years of your friendship. Thank you for your years of comradeship as fellow trial lawyers in the state bar in Clark County. Thank you for representing my family when called upon to do so, and I couldn't have been more proud than when you were elected to succeed me in Department Seven in the Eighth Judicial District Court. And I am glad to see that you kept much of

the staff there including Lisa, the bailiff and Tina Hurd. (Renee Silvaggio is a newer addition.) And I couldn't be more pleased that a lawyer and a judge of your talent, your dedication, and your ability is joining us here. So welcome. Ladies and gentlemen, you are about to hear from some wonderful people, but please understand and appreciate this new colleague of ours is really something special. Thank you very much for this moment, thank you very much for this day, and thank you for attending.

## INVESTITURE OF JUSTICE MARK GIBBONS

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### CHIEF JUSTICE AGOSTI:

We will now proceed with the investiture of Mark Gibbons. Mark comes from a family where law seems to run just a little bit deep. His first speaker is his brother, Mike Gibbons, who I actually knew before I met Mark. Mike is a judge and has been a judge in the district court in the Ninth Judicial District Court in Minden and Gardnerville, a beautiful area. He's a very well-regarded judge, a fine person, and a good friend. Before becoming a district judge, Mike was a member of the district attorney's office. He was in private practice, and he even did a term clerking for Judge McKibben, who is here today.

And it's wonderful always to have one brother speak favorably about another. It doesn't happen as often as it used to in my family. Austen is not alone in the world, he has a fifteen-year-old brother who is also a president. There's not enough storage room in our house for all the extra ego going around, I tell you. But it's wonderful—not just that we have brothers who are so close, but brothers who share a love of the law and the profession of judging. I think the profession of judging is a little bit different from being a lawyer, and I think they would agree. So without further ado, Mike, come forward. Judge Gibbons.

### JUDGE MICHAEL GIBBONS:

Madam Chief Justice, members of the court, other elected officials, and distinguished guests, it is certainly an honor to be here today as a member of the Nevada judiciary, but more important as Mark's brother. We are also very fortunate and privileged to have most of our family here today too.

How many of you remember where you were on Friday, January 3, 1997? That was the scheduled time for the investiture in Las Vegas of the newly elected district court judges in Clark County, including Judge-elect Mark Gibbons. The supreme court justices were planning on attending. I was scheduled to speak for

Mark. But do you remember what happened right before that? We had the one-hundred-year flood here in northern Nevada. The streets were inundated with water, the airport was covered too, and it was impossible to get to Las Vegas. Judge Bill Maupin was in Las Vegas because his investiture as the newest supreme court justice was set for the following Monday in Carson City. He assumed his duties early and presided over the Las Vegas investiture proceedings without the assistance of any of us from here in northern Nevada. It was quite appropriate though because Mark was succeeding Judge Maupin in Department Seven of the district court. Now he'll be joining Justice Maupin as a colleague on the supreme court.

It was eight years ago in January 1995 that Mark was present at my investiture as a district court judge in Minden. I had come to Nevada in 1980 at Mark's urging. Judge Howard McKibben had offered me a position as his law clerk, and Judge McKibben was the primary speaker at my investiture fourteen years later. It is certainly an honor to have him here today, and he is now the Chief United States District Judge for the District of Nevada. And also, his daughter, Susan Wilson, is working for the supreme court and so she'll be working now with Mark. So, it's a pretty nice experience to see this go through like that. Eight years ago, Justice Shearing also attended my investiture.

But the main reason I'm mentioning what happened on that day eight years ago is that Chief Justice Cliff Young administered the oath of office to me. Mark has the honor of succeeding Chief Justice Young. When Cliff Young was sworn in as a justice in 1985, he joined his brother, Llewellyn Young, on the bench. Mark and I are proud to follow Chief Justice Young and Judge Llewellyn Young in keeping the family-judge tradition alive here. I've reminded Mark over the last six years that although he has more than five years in age and a few pounds on me, I have two years of judicial seniority. But I will have to relent now because after he takes the oath of office he will be one of my seven bosses.

Mark was raised in Whittier, California. As the oldest of three brothers, Mark was the leader. He worked hard at whatever he tried. My parents always stressed the importance of education. Mark graduated from the University of California at Irvine in three and one-half years. I hated to see him leave early though because he gave up his home he rented in Newport Beach where I liked to visit. But Mark had long been interested in the law, and so he continued his education at Loyola University School of Law in Los Angeles. He graduated from law school in two and one-half years and then immediately sat for the California bar examination. He didn't wait for the results though because he recognized Nevada as a promised land.

He journeyed to Las Vegas in February 1975 and decided to sit for the Nevada summer bar exam. He worked as a law clerk, lived in a tiny place, and studied in his spare time. You all know the results. Mark was admitted to both bars, and he began a very successful civil law practice in state and federal courts.

In 1996, Judge Maupin announced that he would give up his seat and run for the position of supreme court justice. Mark decided to try and fulfill a deeply held aspiration and career goal and become a district court judge. Department Seven was an open seat, and a long-time municipal court judge also decided to campaign for that position. Mark demonstrated again that hard work will lead to success. In the vigorously contested campaign, Mark scored what some considered to be an upset victory.

Mark began his judicial career on January 6, 1997. It did not take long for him to be recognized by his peers and colleagues. Mark set a record in 1997 for the days in court on jury trials at 137. He continued the work on implementing and improving the Mandatory Arbitration Program started by Judge Maupin. He helped plan the revolutionary short trial jury program from its inception. He recently served on the Jury Improvement Commission, which proffered many important improvements for the jury trial process in Nevada. In 1998, then-Chief Judge Myron Leavitt appointed Mark the presiding judge of the civil division of the Eighth Judicial District Court in Las Vegas. Mark refined the overflow program to allow judges, without a trial scheduled that week, to hear civil jury trials as well as criminal jury trials. You can, I'm sure, guess what the reaction was to that.

Mark was a training judge for the attorneys working in the judge pro tem program. He also taught numerous legal education programs at the request of the State Bar of Nevada, the Clark County Bar Association, the Nevada Trial Lawyers Association, and the Administrative Office of the Courts.

It was no surprise in the spring of 2001 that Mark was named by United States Senator John Ensign as one of the Senator's four nominees to President Bush for the position of U.S. District Judge for Nevada. Mark had a whirlwind trip to Washington, D.C., including an interview in the White House. Mark did not receive the appointment, but the federal court's loss was the state court's gain.

Mark was immediately elected Chief District Judge by unanimous vote of all the district judges in Clark County. Mark served in that position for eighteen months, right up until last week, supervising twenty-nine other district judges.

Many of us do not have the opportunity to see a judge at work. The whole nation was able to observe Mark through the television network *Court TV*. He received many accolades through that ex-

posure. The network even conducted an instant poll on Mark's use of the technique of allowing the jurors to ask questions of the witnesses. The respondents in that poll were strongly in favor of the procedure. (I had learned it from Judge McKibben as his law clerk and had recommended it to Mark.) And in 1998, the Nevada Supreme Court finally addressed that issue and approved that procedure in the case of *Flores versus State*, which you can find at 114 Nevada 910.

Allowing jurors to ask questions is an example—it illustrates what being a judge is all about: using a fair process in the search for the truth so justice can be done. Mark Gibbons has consistently demonstrated he will use his intelligence, integrity, and common sense to ensure justice is done.

It was no fortuity that his election to the supreme court came without opposition. As you heard, in 1998, ninety-seven percent of the lawyers that participated in the *Las Vegas Review-Journal* and Clark County Bar Association poll stated that Mark should be retained as a district judge. Ninety-seven percent was the highest number in the history of the poll, and it has never been exceeded.

Mark, you have earned your position on the Nevada Supreme Court. Congratulations, keep up the hard work, and make your mark here.

CHIEF JUSTICE AGOSTI:

The next speaker for Justice-elect Gibbons will be Judge Nancy Oesterle of the justices' court in Las Vegas. If you have not before had the opportunity to hear Judge Oesterle speak, I think you are in for a treat. She does a marvelous job. She always claims she's nervous, but then she just gets up and wows you.

I'll tell you a little bit about Nancy. She doesn't know how to sit still. She's always up to something. For the past eleven years, she has produced, directed, and starred in a TV program in Las Vegas, *Law for the Layman*, which has been a wonderful program helping to bring the history of the law to people in a way that they might hope to understand it. She's also involved in a program called "Keys to the Courthouse." It's a wonderful program, and I think weekly she goes into the elementary schools, and she brings classes to the courtroom and is very involved in making sure that the youth of the Las Vegas community understand the judicial system.

She was an awesome trial attorney in the district attorney's office, from what I understand. Got her undergraduate degree from UNLV and graduated in law from Cal Western, as I understand it. But her real claim to fame—and I know you won't believe it when you look at her, she's so demure—but she was a cheerleader at UNLV for four years. Judge Oesterle.

JUDGE NANCY OESTERLE:

Good afternoon Chief Justice, members of the supreme court, fellow judges, members of the bar, and honored guests. I should thank all of you for coming. This is really an overflow crowd today, and it shows the number of people that admire, respect, and love Mark Gibbons. I'm sure both Mark and Sandy are thrilled that you are here today to join with them on this exciting occasion.

It was a real honor and a surprise to me that Mark asked me to speak. I'm not really sure why he chose me. I mean, he knows everybody in our great state. He knows a lot more influential people than me, more powerful people than me, and I'm just a Las Vegas Justice Court judge. And the interesting thing is it shows what a brave soul he is because on previous investiture speeches I have been censored—I'm talking serious censoring by the people I'm swearing in. You know, a list of things you can say, a list of the things you can't say, and "please don't curse"—things like that. And Mark gave me carte blanche to say whatever I wanted to say.

Now, I've given his bravery a lot of thought. I was wondering why he would allow me to speak without telling me what I can and cannot say. And I finally figured out the answer. This guy is squeaky clean. There's really no good dirt that I can share with you on Mark. So, you know, I hired a P.I. because I wanted to find out was there anything out there that I could share with you because a little bit of roasting always makes an investiture speech way more interesting. Unfortunately, all the P.I. revealed was what we already knew—that Mark is a really nice guy, he's a genuinely great human being with high moral standards, ethical standards, unbeatable and is extremely bright and very articulate. He's known around Clark County as an outstanding civil litigator—a force to be reckoned with—and yet he's extremely humble and down to earth. And I'm like, is that all there is? Is that all there is? That's all you could find about Mark? Nothing juicy? Nothing enlightening to share with his new neighbors in Carson City? After all, as the *National Enquirer* says, "Inquiring minds need to know."

So I went on my own snoop-and-find investigation. I asked everybody I could find—a bunch of local attorneys, his past partners, court staff, other district court judges—high and low. But the bottom line is that I know Mark as well as anyone, and I know exactly what they know. That he's a caring and compassionate guy, one of the hardest workers on the district court bench. He's admired by all, and I couldn't find one dissenting opinion on that issue.

Now, the problem is that doesn't make for great speeches. So I thought I'd just throw in a few little tidbits that Mark won't be *too* embarrassed about because the bottom line is we are so lucky that Mark has decided to be on the Nevada Supreme Court.



Mark and I were neighbors when I was on the Las Vegas court bench—just like a common wall that divides Mark and I. Now before Mark and I, I had the privilege of having Justice Maupin as my next-door neighbor, and before that I had Judge Carl Christensen. All three of these fine jurists were always willing to stop their very busy day, be interrupted by me as I came bombarding next door because I had some very difficult civil case I needed help on. And they always knew exactly how to calm me down, what to tell me—the perfect answer every single time.

I wasn't pleased when Judge Maupin told me he was running for the supreme court. After all, he would become a "supreme," and I would have to have a new next-door neighbor. They may not be quite as bright as Justice Maupin, and I had a vested interest in making sure they were very bright. So I inquired from Justice Maupin, you know, about Mark Gibbons' intellect. I asked him, "What do you think? What do you think?" And Maupin's response was, "Oh, you're going to like Mark. He's a smart attorney. He's almost as smart as I am." No, no, he really didn't say that. He was probably thinking it. He wasn't thinking it. He was surprisingly humble, really. And what he said was, "Mark is really smart. I like him. You're really going to like him." And Justice Maupin was right.

Now, one day Mark decided he'd try to sneak out and leave a little bit early from work. And I said, "You can't do that. I have a courtroom full of people. Where are you going? I might have a problem." Mark calmly stated—by the way he's always calm, he's one of the calmest people I know—he said, "Well, take my home number. Call me anytime." Big mistake. Big mistake. Why? I would call him at 11 p.m.: "What? You're sleeping? But I have—I need your help." And he would wake up and answer my question—such a nice guy and always had the right answer. And I'd call him at 5 a.m.: "What? You're sleeping? God, you sleep a lot! But I have a question." And he would always have the right answer. And one time I called and his wife Sandy said, "But he's in the shower; it's 6 a.m." I said, "Sandy, go get him. I need him." And she did because she is as fabulous as he is.

So, Mark would always come to the phone and give me the right answer, explain to me why it was the right answer and then it was just amazing—like a photographic memory of the NRS. Mark would tell me what statute, what subsection, and where to go, and every single time he was right. And I looked it up and then I'd complain to him, "How come you're always right? How could you always know this stuff? What, do you have it memorized?" Who but Mark memorizes the NRS? I mean, what are you a brain trust or something? Well, as the typical humble person that Mark is, he tried to convince me that he only has twenty statutes memorized, and I just happen to ask him those twenty statutes. Not so. This

guy right here is extremely bright. He has a brain capacity that is amazing. We should all be so lucky.

Now, plus the fact that he's so easygoing and so calm. I mean, nothing ruffles his feathers. He's like having a dose of calming medicine right there at my disposal. He puts everything in perspective. He takes everything in stride. He has the ability to deal with obnoxious attorneys and obnoxious pro se litigants; he treats them courteously and respectfully even when they are totally out of control. You would never know by looking at his face from his demeanor that he disapproves of anything they have done. And I tell you one thing, I would never play strip poker with this man because I'd be naked and he'd be fully dressed. The guy is unbelievable.

Besides being a mellow, compassionate guy, he's also sort of a daredevil. Looking at him you wouldn't think that but he's a daredevil. Why? Because when he was up for reelection—I mean nobody would've ran against him for the district court, nobody in their right mind—he decides to run for supreme court. I mean, it wasn't even an off year. What's up with that? You're supposed to wait to an off year because if you lose, no big deal. You still have a great job on the district court bench. But he decides to run for the supreme court. So I went to him. I'm all upset. "Why are you doing this? Why are you doing this?" And with quiet self-confidence, Mark said to me, "I've given it a lot of thought. It's something I've always liked to do, and I have the energy to do it, and I intend to win." Once again, Mark was right. And then, like his esteemed colleagues before him, Justice Agosti and Justice Becker, he runs an uncontested race for the Nevada Supreme Court on his first attempt. That speaks volumes of the opinions of the state bar when no one chooses to run against you for the highest seat on the bench. Everyone knew that he was extremely well respected, unbelievably difficult to beat.

I mean, as has been mentioned by Governor Guinn as well as Judge Gibbons, if you just look at the judicial survey results you would know why no one chose to run against Mark Gibbons. Now, I don't know if they're a big deal in the north, but in the south, take it from me, they are a huge deal. I mean, they comment about my hair in every survey. I mean, these people, it's impossible to get a good score. And yet Mark, he has the highest retention rate—ninety-seven percent—after being on the bench a year and a half. And, of course, that's never been exceeded. I doubt it ever will be exceeded. And the next two surveys he had a respectful ninety-seven percent retention rate. And then, of course, that brings with it a photograph, or two or three, above the fold in the *Review-Journal*. That's a big deal too. The envy of all the judges, Mark Gibbons.

Now, former-Chief Judge Myron Leavitt, now Justice Leavitt, had the keen foresight to realize Mark's outstanding leadership

ability. He appointed Mark as the first-ever presiding Chief Judge of the district court civil division. Mark sprung right into action. He began adequate, accurate statistical reporting of all southern Nevada's civil jury trial days and civil evidentiary days. He then convinced the criminal court judges to do the same. He then convinced the family court judges to do the same. And then he released these statistics publicly. These statistics were essential in showing the public the huge caseload of the southern Nevada judges, as well as the desperate need for additional judges in the south.

As Chief Judge, Mark has been a major consensus builder. Now he may not be like a Tom Cruise in *Mission Impossible*, but believe me when I tell you this man is one smooth operator right here. He has the ability to deal with thirty publicly elected district court judges with all of their own opinions that must be heard all at the same time, and he gets them all together with their egos just popping out of the room, and yet he gets these thirty judges to agree upon things even when they don't like each other. These are thirty people who cannot decide upon what soda should be served for lunch. Yet when Mark Gibbons speaks they follow, they respond, they respect this man. So everyone looks up to him because he is a leader, and he's willing to fight for what's best in our court system.

There's no doubt in my mind that Mark will go down as one of the most dynamic, most insightful Chief District Court Judges in the history of the Eighth Judicial District Court. He is an innovator and he's made so many positive changes on behalf of our justice system. He mastered the fine art of consensus building. He managed to resolve things without conflict so that people who are not happy about having to make the changes make the changes anyway, and they're happy about it because Mark Gibbons made the changes.

He worked hard to create the special construction defect court, a court that is now physically big enough to hear the large volume of construction defect cases. He is credited with putting together the dream team—at least that's what they call each other, and actually they are the dream team. It's three judges in southern Nevada who volunteered to do construction defect cases and large medical malpractice cases, and it has proven to be a much better way to serve the public in Clark County.

During his years on the district court bench, Mark was involved with many other important innovations. He assisted Justice Maupin with improving the arbitration system by going to the legislature and lobbying endlessly to continue efforts to use that program to streamline the cases. He created the short jury program to move along the backlog of pending cases. He actively participated in the Clark County Pro Bono Foundation Board. He promoted it heav-

ily because Mark truly believes that the bar should be involved in helping the public who can't afford to hire their own attorney. He is obviously a man of vision.

He'll be missed tremendously by the district court bench, as well as the members of the Clark County Bar Association. But on the other hand, I'm not so sure how much he is going to be missed by the district court administration. I mean I really can't speak for Chuck Short, who is our very fine district court administrator, or Rick Loop, his assistant, but I can tell you one thing—he made their lives a whole bunch harder once he became Chief Judge, and they have never, ever complained because they're work-horses too. Fact is Chuck Short liked the fact that Mark was always able to make a difficult decision. But I have to warn Ron Titus. I know Ron Titus is here someplace, Ron, where are you? Okay, Ron, I'm warning you right now, brace yourself my friend, because around the courthouse Mark's nickname is Mr. Memo. He likes memos; he likes memos with attachments. Look at Chuck laughing. He knows this is true. He will keep you busy, Ron, he will keep you hopping. He wants to change things. He is highly motivated to make the system even better. He is constantly tweaking everything. He won't rest until it's the best that it can be. As good as it gets is not good enough for Mark Gibbons.

I'm confident that he would be completely dedicated to make the supreme court even more user friendly than it is already, help the public understand the court process to the best of his ability. Mark has worked really hard to gain this position on the supreme court, and he totally deserves it.

You're probably sitting there right now thinking oh my god this guy sounds like vanilla ice cream. But let me tell you something. He is really more like rainbow sherbet. There are many layers of Mark. He is many talented; he has many different colors; he doesn't like to stand out in a crowd. He likes to blend with the crowd and that helps him to be a master-of-the-world consensus maker.

Let me just tell you a few tidbits so you know that there's really more to Mark. He is really more fun than I make him sound. He is very flexible. You know after you hit forty-five, you start worrying about that weight thing, you know, that keep in shape thing. So I said to Mark, "You and I should start walking. I walk all the time. Walk with me." And Mark volunteered, not knowing what he was getting into. So I started walking with Mark. He walked anytime I wanted: nine or ten o'clock at night for an hour and a half, seven a.m. on a Saturday morning. Anytime I asked him, we would walk. We walked hundreds of times. There's one little problem though—those dogs of his. There's four, okay. Two are wiener dogs and two are Shih Tzus. I'm talking little dogs, okay. Well, they ran the house and they ran Mark. The four of them had to

walk every single time. Can you imagine this? Four little dogs on a leash? I looked like a bad scene from a New York City movie. Every five minutes they had to mark the territory, and I'm worried about breaking my ankle. And Mark thinks we're exercising. So, it took me awhile to make him understand it's not exercising a dog, it's exercising us. So Mark, in his very keen sense of justice, suggested that once around the block with all the dogs, then once around the block with his alpha dog, Danny, and then we could walk without the dogs. As always, he displayed a large amount of patience and understanding.

Mark is the type of person that never says "no." He has helped me endless times with various law-related projects. No matter what it is I ask him to speak on and help me with, he always agreed, even the time we had to go to Pahrump, lovely Pahrump, to give a speech. He didn't even complain. And every time he is involved, that guarantees the success of that project.

Mark has the ability to adapt quickly. Once, at a Clark County Bar Association baseball game, we had just given a speech with Justice Rose and were sitting at a table, and all of a sudden I swear we became bombarded with foul balls. Now one of them came screaming towards my head, so naturally I dived to the ground, brand new suit and all, camera in hand to document, and after I hit the ground, I looked up. Mark had very quickly grabbed my seat and put it over his head to shield his giant brain from any further assault. He was grinning from . . . He looked like a goofball. I was laughing so hard. But the funny thing—even funnier—was Justice Rose. Justice Rose is sitting there like a man of steel. He is a few inches away. He is like no reaction, not even flinching. Now, I'm not sure if Justice Rose has more testosterone than any man I know or, or if he was completely oblivious to the fact that he almost got nailed in the forehead with a line drive. It was pretty funny.

JUSTICE ROSE:

I never saw the ball.

JUDGE NANCY OESTERLE:

Yeah. I swear. What did I tell you. He was oblivious.

Both Mark and Justice Rose are titans of intellect, and they displayed qualities shown that day that are needed on the Nevada Supreme Court. Innovation, courage, and the ability to stand their ground. What really makes the story even funnier is, some of you may not have known, but one of Mark's first lifetime dreams before he became interested in law was to become a major league baseball player. Aren't we fortunate he is so skilled and other fine qualities that we have him on the Nevada Supreme Court versus the baseball mound. Another interesting tidbit is, you probably don't

know, that he purchased one of his very first homes after law school from Bob Rose—none other than the Bob Rose that he’s now sharing a seat with on the Nevada Supreme Court. I mean, what are the chances of that? Only in Nevada, that’s for sure.

I predict Mark will be on the cutting edge. He is a cutting edge sort of guy. He was a feminist long before it was p.c. (politically correct). Let me give you an example. As evidenced by the fact that one of the very first issue campaigns that Mark became involved in, he financially supported Justice Shearing. Where’s she at? There she is—Justice Shearing. When Justice Shearing was running for justices’ court in Las Vegas in the year 1976, Mark became interested in her campaign, and he, of course, contributed. Now, he is a well-known litigator, but he’s also well known for his continued support of the judiciary. Isn’t it funny how things come full circle? He now is about to share the bench with the very first judicial candidate he ever supported, the one that inspired him to pursue public service in the judiciary, the first female supreme court justice of our fine state. The company doesn’t get any better than that.

To quote my idol, or actually, it’s my “American Idol” now, Judge Jan Berry, from the Reno district court bench: “Judges are not born with the wisdom of Solomon or the patience of Job or the brains of Einstein or the heart of Mother Theresa. These traits develop over a long period of time.”

I’ve had the privilege of watching Mark as he thoroughly and quickly honed his judicial talents. He was a very quick study on the bench. He had it all, yet he maintained a very dry sense of humor and a keen sense of fairness. An example of that would be one time during a jury trial when he had a defendant that was trying to get out of custody. Well, actually, they all try to get out of custody, every day, all day. But this one was a very sly character because he decided to play upon Mark’s well-known love of dogs, and he said that he had to get out of custody because his dogs needed to be taken care of and he had more than one dog. The dogs needed to be walked and they needed to be fed and his dogs were lonely. And of course, the defense counsel, Craig Mueller, jumped on the bandwagon and told Mark these dogs needed help right away—they’re going to die if you don’t release him from custody. Well Mark gave it a second thought or two and decided he wasn’t gonna release that defendant, he didn’t deserve it. But he did order defense counsel, Craig Mueller, to go over to the house every day and walk the dog. It’s a true story. It’s true, it’s true, it’s true.

I have to give you just a little “B.S.” before I end. (Now, that was a true story, that last one.) “B.S.” stands for “before Sandy” because before Sandy there were four little dogs: the dogs that allowed Mark to live in their home, the dogs that ran Mark’s life, the

dogs that were totally unmindful of him. And then Sandy, this beautiful, intelligent, spirited, outgoing woman came into Mark's life and became his soul mate. She also became the major dog disciplinarian. She quickly whipped those dogs into shape, unbelievably. Now, he's still a dog lover, and he already has 999 dog-related gifts, so don't give him any, but Mark was smart enough to know that he should let Sandy run his life, not the dogs. And she has done an excellent job, and Mark is so happy both personally and professionally because of Sandy and we thank you, Sandy, for that.

Now Mark, I believe you have the perfect blend of qualities to make you an all-star "supreme." You are a kind man with a brilliant legal mind, and you have a beautiful heart. You are a true gentleman, and you are a scholar. And I must say from a selfish point of view, I'm not happy about you becoming a "supreme." I mean, I'm losing my next-door neighbor, and I have to get a new one. Now my new one—lucky for me—is Stewart Bell. He's going to be the district court judge in Department Seven. I've already gone to speak to him. I have his home number. I'm not so sure his wife Jeannie will be as nice as Sandy about the midnight phone calls, but he did tell me "call me anytime," and I will.

Mark, I'm sure you're going to really assimilate to the supreme court. I know you can handle the pressure of the supreme court. You handled the notorious Jessica Williams case so superbly. It was the highest profile motor vehicle death case ever in the history of southern Nevada. You handled the intensive media scrutiny with an impressive display of calmness, dignity, and judicial fairness.

And I know that in the past you've given me grief that I publicly admitted that I don't read the supreme court dissenting opinions. And it's true, I don't. I mean, I'm swamped. You know I don't have time for that. But I did talk to you about this and since I believe that you're the guru of consensus building, I decided that any time you write a supreme court dissenting opinion, I will read it, okay. So before the ink is dry, just shoot me an e-mail. I'm going to read it. I promise I'll squeeze it into the crazy schedule of justice court.

I'd like to thank you and Sandy for allowing me to share this special day with you. I'm sure your career with the "supremes" will be as long and distinguished as your professional background. The many impressive achievements that your brother, Judge Mike Gibbons, has told us about, including your temperament, intelligence, and patience, will undoubtedly make you a giant on the Nevada Supreme Court. This is the man whose seat you are filling today, Justice Cliff Young, our very own distinguished and equally talented "supreme" before you. I'm sure your tenure will be impressive and deserved.

Now, Janette Bloom is going to play a Vanna White right now. Janette? Because she has something I'd like to give you. It's from Judge Jan Berry and I. It's a token of our esteem to congratulate you on this special day. It's a framed copy of the signatures of those brave men who signed the Declaration of Independence. Now, we selected this to go in that beautiful new chambers of yours that I'm so jealous of, but you know you could put it in the bathroom if you want because your bathroom's big too and that's where I put all my plaques. And I know that your beautiful wife Sandy is so talented she's going to decorate your supreme court office beautifully. So do what you want with it, but know it's from us, okay.

You also need to know that the men who signed the Declaration of Independence were not crazy rebel rousers, and they were not troublemakers, but they were educated men of means. Twenty-four were lawyers and jurists. Those brave leaders who fought and often died to create a free, independent America continue to inspire great leaders of today such as yourself. Jan and I believe that you will continue to uphold the vision of our founding fathers. The liberties and rights of all Nevadans are safe in your hands. We know that you will do nothing less than defend our liberties and pursue equal justice for all through your work on the Nevada Supreme Court. Mark, I hope you have as much fun on the Nevada Supreme Court as I've had on the Las Vegas Justice Court bench. Congratulations, and Godspeed, and don't be a stranger, okay.

CHIEF JUSTICE AGOSTI:

Thank you Nancy for those remarks, most of which were very positive. I am concerned about one thing. Memos. Now do you have that little "re" line to them. You know, "re" there's a problem. Are we going to be saying, "Mark, thanks for the memo—ries"?

I really appreciate your remarks, Nancy. Aside from being a wonderful speaker, I think you and Mike Gibbons have given us a marvelous introduction to Justice-elect Gibbons. And it will now be my pleasure and my privilege to administer the oath of office. And the Bible is going to be held by Justice-elect Gibbons' mother and his wife. (*Chief Justice Agosti administered the oath of office to Justice-elect Gibbons.*)

You have been duly installed, and now you will be robed. Mark, you don't get to sit down. Ladies and gentlemen, it is my pleasure to introduce to you Justice Mark Gibbons.

JUSTICE GIBBONS:

Thank you, Chief Justice Agosti and members of the supreme court, Governor Guinn, for speaking here today. I also want to thank our State Controller, Kathy Augustine, for being here this af-



ternoon. Members of the legislature, members of the judiciary. I did see Judge Schumacher, Judge Berry, Judge Steinheimer from Washoe County District Court; Judge Johnson, Judge Finley, Judge Deriso, I appreciate all of you being here today very much.

Also, I want to thank my two speakers, Judge Michael Gibbons and Judge Nancy Oesterle. I didn't know I was such a good person until after hearing all that. I think that Nancy might have embellished just a little bit on some of those things, but I appreciate her good thoughts. Also I want to thank our wonderful Court Administrator, Chuck Short, from the Eighth Judicial District Court, for coming with his wife Theresa here today to give the invocation.

Also, as Chief Justice Agosti also introduced my staff from the Eighth Judicial District Court, we do—Justice Maupin was correct, there's some familiar faces over there—Tina Hurd, our court clerk, also Lisa Cologna, were both with Justice Maupin for years before I had the pleasure to serve in Department Seven of the Eighth Judicial District Court. Also I have Jason Cook, who was my law clerk for the last couple of years, and Renee Silvgaggio, who is our court reporter. I can tell you they're the best staff in Las Vegas, and I know that Jason is moving on to bigger and better things in private practice, but Tina, Renee, and Lisa will be staying with Judge Stewart Bell, and I know they'll do a terrific job for him.

Also, I've just had a wonderful opportunity in working with our new staff at the supreme court. I've had the pleasure of working with Jan Doescher who has worked for Justice Young and Jane Young for many, many years, and Jan has agreed to stay and she has just been wonderful together with the two terrific law clerks—Sonia Williams and Cory Watkins. I want to thank Jan and Sonia and Cory for all of the assistance they've given me in the transition from district court to the supreme court. Also, I want to thank not only them but Janette Bloom and Beth Mammen for helping me in planning this investiture. They've just worked tirelessly, and I want to thank all of them very much for all their efforts.

Also, at this time we have Allen Kimbrough and Gloria Sturman from the State Bar of Nevada. Gloria is our president and she has done a terrific job as the president of the state bar, and Gloria thank you for coming up. And Allen, thank you for coming as well. Also, Cam Ferenbach I saw here from the Clark County Bar Association. Cam, thank you for coming up here and being here this afternoon.

Also, briefly, I mentioned my relatives that are here. I'd just like to go through them, and I thank them for being here. First of all, my father, John, passed away about two years ago, so he is here with us in spirit, and I know he would have loved to have been here today. But my mother, Dorothy, whom you met previously, is here; my Aunt Peggy from Harrisburg, Pennsylvania; Michael and his lovely wife, Barbara, are here with their three children,

Brooke, Bridget, and Michelle sitting in the back; and my brother Gregg from Anaheim. Gregg wasn't mentioned, but he is a very successful corporate attorney in Anaheim and he makes all the money in the family—he is a multimillionaire. So we have the two judges, but he has done pretty well on his own, together with his lovely wife, April. Also, April's parents, Scott and Joyce Porter, are here from California as well. Also, Sandy has many of her family members present. Her mother Ann is here together with her brothers Mark and Craig and Craig's wife Stephanie and their daughter Lauren are here visiting together with Sandy's cousin, Preston, and his wife Rhonda. I want to thank you all for being here.

Also, I want to thank Judge McKibben for coming again today. I mean, it takes us back many years when Michael first went to work for Judge McKibben. At that time, he was a state district court judge in Douglas County, and I had the pleasure of meeting Judge McKibben at that time, and I actually appeared and argued a couple of cases in front of him, and I think he was as tough on me as anybody else even though Michael was working there. But I appreciate what a tremendous judge he is, and he is certainly carrying on his great tradition for the United States District Court as well.

But more than anything else, I'd like to thank my wife, Sandy. Sandy has been with me through all this . . . through all of this campaign since we've been married. Her love, patience, hard work, and support throughout the times since we've been married has just never ended, and I tell you I couldn't do it without her, and I want to thank her very much for that.

Also, today I would again like to recognize our retiring Chief Justice, Cliff Young, and his wife, Jane, for their service to our state and country. Now, as was previously mentioned, Chief Justice Young's service in our United States Congress goes back to 1952 when he was elected, and when you think about it, he first started in Congress in early 1953 and that was the last weeks of the Truman administration. Justice Young then served through 1956 in the House of Representatives. There is no question that retiring Chief Justice Young is one of the most important figures in the 139-year history of our state. I can tell you one thing, I'm not presumptuous enough to think that myself or any other justice can fill Chief Justice Young's shoes, but I will do my best to carry on Chief Justice Young's innovations and the work ethic that he has demonstrated throughout his eighteen years on the Nevada Supreme Court.

I just want to tell you one story about retiring Chief Justice Young. I have many fond memories of meetings and conversations with him, but I'm thinking back to about six years ago. I was on a flight from Reno to Las Vegas, and I was sitting next to Chief

Justice Young. I'm sure he doesn't remember this, but he was flying down to Las Vegas on some court business and we were talking about history. (I have a Bachelors Degree in American History.) And I was talking to Chief Justice Young about issues, and we're talking about meetings he had with President Eisenhower back in the 1950s and members of the Eisenhower cabinet and administration and some of the very momentous items that took place in our history in the mid-1950s—in those very turbulent times. He gave me insight and it was just wonderful to hear some of these stories about issues that the Congress had to deal with and how he dealt with them representing Nevada and dealing with members of the Eisenhower administration.

Now ladies and gentlemen, I'll be brief here. We've had a long afternoon, and we want to get to the reception, but I just want to tell you what some of my goals are as a justice of the supreme court. I'm looking forward to working with Chief Justice Agosti, Justice Maupin, and the other justices to expand alternative dispute resolution in an effort to make litigation less expensive and quicker to resolve. In Clark County, it costs approximately \$5,000 per day for a jury trial. I would like the court to consider making the one-day short-jury-trial program mandatory. Also, ladies and gentlemen, I would like to continue working with Justice Rose in developing a cost-effective plan to expand our Senior Judge Program in the district courts throughout Nevada. The senior judges can assist us with our specialty courts and with lengthy trials in areas such as construction defect and multiple-party medical malpractice. I plan to promote a closer working relationship between the supreme court and all district judges, municipal judges, and justices of the peace throughout our state.

I look forward to working with all the members of the court. I've known all of them for many years, and I have the utmost respect for each of them. I will seek their advice as I perform my duties as a justice. I was gratified to receive the support of eighty-two percent of Nevada voters in the November election. Although I didn't earn the ninety-nine percent of the vote that Saddam Hussein recently received in Iraq, I will do my best to serve all the people of Nevada as a member of the supreme court. Thank you very much ladies and gentlemen.

CHIEF JUSTICE AGOSTI:

Well, now we are complete. We're seven again. I hope you'll enjoy your tenure on the bench, Mark. The work of the supreme court, especially coming from the trial bench, is different. It's not as exciting really on a day-to-day basis. You don't deal with the witnesses, the lawyers, the jurors, and the litigants. But what an opportunity to make a difference, and it's an opportunity that I know you'll take and that I know you will enjoy, and your contri-

bution will certainly be great. We are looking forward to it and looking forward to working with you. On behalf of my colleagues, I wish you all the best, and I say to you: welcome to the supreme court.

A couple of very late introductions: I notice in the back of the room—he must have snuck in—Judge Mike Griffin is there of Carson City, another district court judge. We also have the State Court Administrator, Mr. Ron Titus, is here. And Senator Mark Amodei. I received word that Justice Maupin wanted to have the floor one final moment, and so I'm going to turn it over to Justice Maupin.

JUSTICE MAUPIN:

Please forgive me for breaking the momentum of the adjournment, but it is an opportunity to rectify what might have been one of the most important mistakes of my professional life. I'd like to thank for the last five years my administrative assistant, Cassandra Jackson, one of the most professional people I've ever worked with in my career.

CHIEF JUSTICE AGOSTI:

Finally, I'd like to thank all of you on behalf of the court. Your attendance here today celebrates so much more than the recommitment of Justice Maupin to the supreme court or the idealism and dedication of our newest associate justice, Mark Gibbons. Your presence here represents your own commitment to the judiciary, your own desire to see Nevada's judiciary operating as best it can with the highest level of skills, scholarship, and integrity, and we appreciate very much your presence here today and what it signifies to us, and so we thank you. I would also like to let you know that there is a reception that will be hosted by Justice and Mrs. Gibbons. This will be held in the supreme court rotunda immediately following this session, which means I've got the power to say whether we're adjourned or not. Okay, we're adjourned.