INVESTITURE

OF

JUSTICE DEBORAH A. AGOSTI

JUSTICE MYRON E. LEAVITT

JUSTICE NANCY A. BECKER

Monday, January 4, 1999

1:30 p.m.

Carson City Community Center

Carson City, Nevada

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHIEF JUSTICE ROBERT E. ROSE

JUSTICE CLIFF YOUNG

JUSTICE A. WILLIAM MAUPIN

JUSTICE MIRIAM SHEARING

KENNY C. GUINN, GOVERNOR OF NEVADA

MONSIGNOR LEO E. MCFADDEN

THE REV. WILLIAM C. WEBB

INVESTITURE OF DEBORAH A. AGOSTI

BRENT T. ADAMS, DISTRICT JUDGE

VALERIE P. COOKE, ESQ.

ANTHONY JAMES WALSH

AUSTEN MICHAEL WALSH

INVESTITURE OF MYRON E. LEAVITT

DEBORAH J. EARL, ESQ.

MICHELLE T. FITZPATRICK, ESQ.

WILLIAM S. BOYD, ESQ.

JACK K. LEAVITT

INVESTITURE OF NANCY A. BECKER

PATRICIA W. BECKER, ESQ.

ANNA PETERSON

BILL BECKER

COLLEEN BECKER

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OF
CEREMONY PARTICIPANTS

INVESTITURE PROCEEDINGS

BAILIFF:

The Supreme Court of the State of Nevada is now in session, the Honorable Chief Justice Rose presiding.

CHIEF JUSTICE ROSE:

Please be seated. Good afternoon. The Nevada Supreme Court is now in special session to conduct the investitures of Miriam Shearing, Deborah Agosti, Myron Leavitt, and Nancy Becker. We will proceed with the invocation and the pledge of allegiance. Will you please rise for the invocation that will be given by Monsignor Leo McFadden.

FATHER LEO MCFADDEN:

Fiat justitia. "Let justice be done." Lord, we ask Your blessing on all who are gathered here today in Nevada's chief city, the seat of our highest governments, and the home of the executive, legislative, and judicial systems—the three rock foundations of our democracy.

This date marks the entry of our 135th year of the Nevada Supreme Court, and we recall that for 103 years of our statehood only three judges per term served on our highest court. In its wisdom, our legislative branch has expanded to seven the number of those serving in our highest judicial branch and for that, we return thanks.

And so, we call for blessings from You, the almighty arbiter. Blessings on our lady justices, for ladies should be first. Blessings on Mdme. Justice Deborah A. Agosti, a dear friend over the years. Blessings on Mdme. Justice Nancy A. Becker, who chose me to be here today. Blessings on Mdme. Justice Miriam Shearing, a longtime and good justice of the peace in Clark County, who assumed the role—long before family courts were heard of—assumed the role of family court judge in pleading for the unpleadable friends. Blessings on our retiring Justice Charles Springer, with whom I went to school in California 57 years ago. Blessings on another incoming justice, Mr. Justice Myron E. Leavitt, whom I went to school with a few years ago in Las Vegas. Blessings on Mr. Justice A. William Maupin, who came to us from my Clark County, served on the Board of Governors, and also had the wisdom to attend his undergraduate years at the University of Nevada, Reno. Blessings on Mr. Justice, former Chief Justice Clifton Young, who has served Nevada on the national scene and has been a long-serving justice for his home state and a longtime friend. Blessings on our incoming Chief

Justice Robert E. Rose, who has served Nevada for decades on both the executive and judicial side of our government.

I must apologize for this lengthy invocation; it is not my usual style. I have done so to remind our seven justices before they begin their terms, to enter their rotunda, look up to the third-floor mezzanine, and ponder the real meaning of whom they are responsible to: ". . . one nation under God, indivisible, with liberty and justice for all." *Fiat justitia et pax in terra nostra.* "Let there be justice and peace in our land." Amen.

CHIEF JUSTICE ROSE:

Please be seated. Pardon me. We do have to have the pledge of allegiance. Please say the pledge with me. "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." Now we may be seated.

I'd like to introduce my colleagues and fellow justices. At the opening, on my far right is Justice Miriam Shearing, on my immediate right is Justice Cliff Young, and on my left is Justice Bill Maupin. We are also honored to have many distinguished guests in the audience, but we have determined that we would limit those introductions to the congressional delegation and constitutional officers. We are privileged to have United States Senator Dick Bryan with us. And we're delighted that on a very tight schedule today, our new governor, Governor Kenny Guinn, can join us. And we are very pleased that someone who seems to make all of our important events and investitures could again join us, our friend, Attorney General Frankie Sue Del Papa. And our new controller Kathy Augustine and her husband Chuck are here with two guests, Victor Zen, an official representative of Taiwan, Republic of China. It's a pleasure you could all join with us.

Today is a historic day for the Nevada Supreme Court. The court in a few minutes will be expanded to seven members and most of the cases will be decided by panels consisting of three justices. And this is the first time since 1864, when this state began, that three new justices will join the court all at one time. Indeed, it is a historic event. And today is very important to the present members of the court because we are receiving help: the help of two additional justices, plus a justice that was reelected, and a justice that is replacing one of the justices who retired.

In 1967, the end of 1967, the court was expanded from three to five justices to handle the pressing caseload. At that time, there were less than 500 cases. Twenty years later, our appeals had reached 1,000 cases, and today we have now over 2,000 appeals that are filed each year. And although these 30 years have seen this tremendous increase in our work and have seen 30 additional

judgeships created at the district court level, not one additional appellate judge position has been added until today. But, I can really say that today the cavalry has arrived.

And today is a joyous day. Three of our best, brightest, and hardest working district court judges will join us on the court. And it is a very special day for them, their families, and their friends. We will now proceed with the formal remarks and, of course, it's an honor to be able to call on our new governor, Governor Guinn, to address us here today. Governor Guinn.

GOVERNOR GUINN:

I would just first like to say it's a real pleasure for me to be here, to be a very small part of such an important ceremony. I would ask that you please excuse my voice. I seem like I've been talking an awful lot today over a short period of time.

But this is a very, very important time for the Supreme Court of the State of Nevada. It is time for us to expand, to take on more diversity, more complexity, and the growth that we're faced with in the State of Nevada. And I truly believe that our voters elected three of the very, very best people who are newcomers, along with one sitting judge, Miriam Shearing. At this time, I just don't know of a better group of people they could have chosen to sit on this great and important expansion.

One of the most pleasurable things I have done in the last 2 or 3 weeks in working on the budget was to look at the expansion of the budgets. And I must say that this was one that I was able to look at, and to do it with a smile, because this is something that is very, very needed. And, of all the people, those who are sitting here today already know that. They need to be helped with the workload they have for all of our protection, for all citizens in this great state. So, it was a pleasure for me to highlight that particular point of the budget.

As we all know, our government, our society—everything that we are governed by—is governed by a stool that is somewhat three-legged-like. It is certainly the executive branch, the judicial branch, and the legislative branch. And I believe that we have a very, very strong leg of that stool that is sitting here in back of me today and those who will be introduced. It is my pleasure just to be a small part of it and to welcome them.

I hope that the good Lord and others will bring me wisdom to appoint in the places of the three newly elected people sitting judges who will be as dynamic, and as intellectual and as caring as these three new individuals have been over their time in the court. I truly hope that I can rise to that occasion because the voters have seen fit to take these people and to move them up, and that's the way it should be. The best and the brightest should be

elevated. It is those who come along, if they have the basic foundation, they too, hopefully someday will get this same opportunity. So, I want to thank all of you for inviting me here today.

I've known, certainly, Judge Nancy Becker for a long time. Deborah I met during the campaign and was very impressed, and have heard nothing but great things, Deborah, about you. And what can I say about Myron Leavitt? We go back a long time. Our Pop Warner football teams played against each other, and we never won a game against Myron Leavitt. But it wasn't that he was a better coach; it was that he had—I would like for all of his sons to stand up because everyone one of them was a quarterback, and he always had the best quarterbacks because he had his sons. And they're all over here in the back, and you can see, that's why he always beat us. But again, it's a real pleasure for me to be here, to go through this very prestigious program and to hear the so many good things that you're going to hear about these newly elected people here today. Thank you very much.

CHIEF JUSTICE ROSE:

Thank you, Governor Guinn. And it's now my pleasure to give the oath of office to my colleague and friend Miriam Shearing, who was reelected this fall. Miriam, will you join me. Please raise your right hand and repeat after me. *(Chief Justice Rose administered the oath of office to Justice-Designate Shearing.)* I think everyone here knows that Miriam is a bright, hardworking, experienced justice, who is a real pleasure to work with, and we all are very, very glad that she is beginning her second term with us.

INVESTITURE OF JUSTICE DEBORAH A. AGOSTI

CHIEF JUSTICE ROSE:

I would like now to proceed with the investiture of Deborah Agosti. Our first speaker on behalf of Deborah will be Judge Brent Adams.

JUDGE BRENT ADAMS:

Thank you, Chief Justice Rose. If the court please . . . In a few moments my friend and colleague Deborah Ann Agosti, who has devoted virtually her entire professional life to the job of judging, will bring her experience, her commitment to sound scholarship, her love of life, and her noble spirit to a new task so different, and yet so much the same, in the craft of the law.

To explain in this brief moment why Judge Agosti will be a distinguished Justice of the Nevada Supreme Court, I would like to

say a word about the nature of the appellate process, which if properly understood, is the crowning virtue of a legal system envied by the whole world.

Now, I must acknowledge that public recognition of the value of appellate courts is about as rare as literary tributes to stepmothers. But truly I think it should not be so.

There are two unique characteristics of the appellate process, which in my view, implement in law a profound understanding of life. The first is the commonsense genius known to every craftsman: that in the most important matters—in the most important matters—we should measure twice and cut once. And so in the most important legal matters, the law takes the measure of the matter twice. It is a recognition, not of the infallibility of anyone, but of the frailty of everyone. The closest the law comes to perfection is the understanding that in an imperfect world some decisions, even by good judges and juries, and for good reasons, should on reflection be modified or reversed. It is sometimes thought that the appellate work is remote or inhuman, and I think that is wrong too. In appellate review, the law performs its most self-reflective, most characteristically human function found in the finest people: the capacity to admit and rectify error.

The other chief characteristic of the appellate process, I think, is mysterious, and yet most sensible. It is that in our law a case ends where it begins.

So much has been written about the glory of the jury system. The thesis of the jury system is that decisions are best made by small groups of people from diverse backgrounds, guided by ancient principles of law, striving together to find the truth and render justice. And likewise, when appellate courts work best, they work in the very same way. A small group of dedicated, disinterested people of diverse backgrounds trying to discern the truth and render justice. Thus, it seems to me the jury room and the appellate bench form a beautiful symmetry in both the structure and the dynamic of the law.

First and last, our law commits to small groups of citizens the most important decisions. Working quietly, together and alone, they reach the consensus which becomes the law's command. And if, having done their best, they cannot agree, then a diversion occurs creating tributaries which will on another day swell into the main stream as the river of the law wends its course through human history.

It is fitting, therefore, that the greatest appellate judges are just like the best jurors. They are people of fine character who, with no stake in the outcome, take that which is given to them in each case and search in a painstaking way for the right result. Mindful of their own fealty to the law, they apply common sense and try to draw forth the justice of the cause.

Judge Agosti will be a great appellate jurist because she is such a good person. She will do her best every single day to apply the very same virtues which have already earned her an exemplary reputation on the bench: a respect for fact; to take the time to get it right; an appropriate deference to the decision of other judges and juries who have considered the case before it came her way; a willingness to listen to, to learn from, and to lead her colleagues; and, perhaps most importantly, the touch of a mother's hand.

At events such as these, the unspoken question in so many minds is what will this person be like after the oath is administered?

My friends, I can give you the answer. I speak from the authority of 10 years of almost daily contact with this superb judge. She and I have toiled through many difficult cases. We have shared personal and professional times that were happy and sometimes heartbreaking.

And here is my report to you. She will bring a new dimension of pride and respect to our Nevada legal system. She will decide each case with the care and consideration due based on its legal merit and on the firm foundation of the record which she will read. She will create coherent and consistent opinions, but she will not hesitate to change her opinions or even to move the full force of the law in a new direction if warranted by the moral and societal imperatives which, after all, are the source of all law. She will (and you can count on it) be the leader of a legal system which establishes a high standard of quality for the admission of new lawyers, enforceable expectations of professionalism on the part of all lawyers, and a corresponding intolerance for misconduct on the part of lawyers and judges alike.

The legacy of Justice Agosti's life in the law will not, I think, be written only in the published decisions of the court. It will be best understood by the principled process she will apply in reaching those decisions. Her work as a judge, as it always has been, will be characterized by the words of a man whom Deborah and I revere as a model for judges. His name is Learned Hand, lately a judge of the United States Court of Appeals for the Second Circuit. Judge Hand's remembrance of his colleagues on the bench at the end of his judicial career expresses so well, I think, what we today can expect of Justice Agosti and her colleagues at the beginning of her new career and of this new court.

He said, "I carried away the impress of a band of devoted scholars; patient, considerate, courteous and kindly, whom nothing could daunt and nothing could bribe. The memory of those judges has been with me ever since. Again and again they have helped me when the labors seemed heavy, the tasks seemed triv-

ial, and the confusion seemed indecipherable. From them I learned that it is as craftsman that we get our satisfactions and our pay. In the universe of truth they lived by the sword. Go ye and do likewise.''

CHIEF JUSTICE ROSE:

Thank you, Brent. Our second speaker on behalf of Deborah Agosti will be Valerie Cooke, a Reno attorney and good friend of Deborah's and, I think, all of ours.

VALERIE COOKE:

May it please the court . . . Judge Adams has spoken very eloquently about the value of the appellate courts in our system of justice, and he has correctly noted that the success or failure of the appellate system depends upon those few individuals who are entrusted by citizens to become appellate judges and who must discern truth and render justice. No system of law, however fine in theory, will succeed unless those men and women called to serve have the character, integrity, and humanity to do the vital work the appellate court requires. I am deeply honored to tell you today about Judge Deborah Agosti, one of those few called to serve on the Nevada Supreme Court, and to tell you why she will so capably contribute to our state as a supreme court justice.

Deborah Agosti grew up in Toledo, Ohio, in a working-class neighborhood that was rich in ethnic diversity. Her family lived next door to a German/Jewish family who shared their home with Holocaust survivors. Poles, Italians, African Americans—the proverbial melting pot was Judge Agosti's childhood home. Her dad, August, was a barber; her mother, Gertrude, a homemaker. The fourth of seven children, a family of four boys and three girls, Deborah's family was rich in love and the fullness of life in a large family. A defining moment in Deborah's life occurred when her beloved father died when she was only 12 years old. Deborah grew up quickly after that, and she saw firsthand the difficulties her mother faced in raising seven children by herself without any specialized education.

As a young girl, Deborah decided two things. First, she assumed she would always have to depend upon herself; and second, that a college degree was an absolute necessity. Deborah attended Catholic elementary school, and she always had her nose in a book. In fact, when she was 4 years old and decided to run away from home, as 4-year-olds do, she packed her bag with nothing but books. When she reached babysitting age, her mother wouldn't allow it because she said she was afraid Deborah would be so engrossed in her latest book that if the house burned down, Deborah would hardly notice.

As a girl of 10, Deborah also made another decision that has shaped her life. She decided she wanted to become a lawyer. Now, Deborah had no lawyers in her family—in fact, she'd never even met a lawyer. Her role model was, who else, but Perry Mason. As Deborah watched the Perry Mason show, it didn't take her long to figure out, as between Perry Mason and Della Street, Perry Mason had the better job. It never occurred to Deborah that her career choice was unusual at that time. In fact, Deborah was shocked when she began her first year of law school and discovered that there were only 12 women in a class of 200.

At Central Catholic High School in Toledo, Deborah's budding passion for justice found a home. She became involved in the social activism of the 1960s and 70s through an international Catholic youth group called Young Christian Students. It was here that Deborah learned how much individuals who joined together can affect social change. The legacy of that experience has benefited Nevada because it was Deborah Agosti who quite simply refused to take ''no'' for an answer when it came to defeating term limits for judges. Many of us here today remember sitting at meetings in Department Three where Deborah pleaded and cajoled us all into action. Had it not been for her sheer determination, Nevada would be the only state in the Union with term limits for judges.

During high school, Deborah also learned that getting an education also meant hard work. She held down two jobs, one to sustain the spirit and the other to sustain the body. She worked at the Toledo Public Library for 55 cents an hour. Although this was not big money even back then, it was 5 cents more than she got babysitting, and she could read and study while at work. Deborah's second job was at Lamson's Cafeteria, where she worked as a bus girl. It became her style to have at least one job where she got a free meal, so throughout high school and college she held a library job and a food services job.

It's no surprise that Deborah did very well in high school and received a full scholarship from the U.S. Marine Corps which was available to children of deceased marines. Deborah's mother encouraged her to attend college and urged her to become an English teacher, which was, according to her mom, the best job a woman with brains could have. Deborah instead chose law school and studied psychology as an undergraduate. Law school came, and it was challenging and difficult. She continued working two jobs, sometimes three, and attended school full-time. It was when she studied constitutional law that Judge Agosti first thought of becoming a judge. She realized then how the judicial system so profoundly affects the everyday lives of people.

After passing the Ohio bar, she got her first job at the

Montgomery County Public Defender's Office and, fortunately for Nevada, relocated to Nevada in 1977 and took a job with the Senior Citizens' Legal Assistance Program. She thereafter went to work for Cal Dunlap at the Washoe County District Attorney's Office. Judge Agosti's judicial career began in 1982, when she was elected to the Reno Justice's Court. Then in 1984, she was elected to the Second Judicial District Court where she has served so ably for 14 years.

On the district court bench, Judge Agosti distinguished herself as a jurist on many fronts. Her thorough knowledge of the rules of evidence resulted in swift, decisive rulings that allowed trials to move ahead efficiently and effectively. Judge Agosti is also highly regarded for her legal analysis and the clarity of her written orders and opinions, qualities that will serve her well on the supreme court. When I asked Judge Agosti about her work as a judge, she remarked that among the hundreds of decisions she has made in her judicial career, the most important are the sentencing of people to prison and issues concerning families and divorce. The awesome power of the state to take away liberty and the power to decide issues between parents and children are among the most difficult, she said, because they so profoundly affect people's lives.

Apart from her extensive knowledge of the law, Judge Agosti will bring to the Nevada Supreme Court other qualities that make her so specially suited to the bench. Her compassion for others, her common sense, her unimpeachable ethics, and her wit will serve the state well as she joins this small group of people entrusted with the vital and sacred task of interpreting our laws and rendering justice. Marion Williamson said, "Nothing liberates our greatness like the desire to help and the desire to serve." Deborah Agosti epitomizes these words, and I wish her Godspeed as she embarks upon the Office of Supreme Court Justice for the State of Nevada. Thank you.

CHIEF JUSTICE ROSE:

In one moment, I will step down and administer the oath of office to Deby. The bible on which she will take the oath of office will be held by her mother Gertrude Agosti, her sister Karen Juette, her brother David Agosti, and her niece Denise Agosti. After she has taken the oath of office, she will be robed by her two sons Anthony James Walsh and Austen Michael Walsh. At this time, I will step down and administer the oath of office to Deborah A. Agosti. *(Chief Justice Rose administered the oath of office to Justice-Designate Agosti.)* Congratulations, you are duly installed as an Associate Justice.

JUSTICE AGOSTI:

(During the robing ceremony.) This is the good part. We did practice this.

CHIEF JUSTICE ROSE:

Ladies and gentlemen, it is my pleasure now to formally introduce to you Associate Justice Deborah A. Agosti.

JUSTICE AGOSTI:

Chief Justice Rose, members of the supreme court, Myron, Nancy, Anthony and Austen, Mom, Karen, David, Denise (it's my family), our honored friends and guests, standing before you at this moment is one very inarticulate, nervous, and grateful person. I want to thank each and every one of you who honor me, Myron, and Nancy, with your presence here today. Thank you Brent and Val for your very generous remarks.

I owe the fact that I am standing here today to the hard work and dedication of so many good friends. It would be impossible to name all of you, but at the risk of leaving someone out, I would like to specially acknowledge John Desmond, my former law clerk; my friend Afton Leaton, who served as my campaign treasurer; Valerie Cooke, Don Campbell, Stephanie Hughes, and all who contributed so generously their valuable time and talents in support of my candidacy; my current law clerk, Stephanie Forbes; and my court reporter of 15 years, Stephanie Koetting.

I'd also like to thank and acknowledge my friends who traveled to be here today. Talking about Young Christian Students (YCS) in high school, one of my cohorts in crime from high school flew out with her husband from Ohio to be here, Sandy Oberdier Reid, and her husband Tom. And lest we sound, you know, like we were out there doing too many good works . . . We also got into plenty of trouble too. I'm thrilled that she'd be here today. I'd like to acknowledge another good friend—when I first went to work for Washoe Legal Services in Reno, I was the senior staff attorney. I had a staff of one attorney. That was John Heike who is now a very important legal-aid lawyer in the State of Texas, and he traveled here today and honors me by being here. Thank you, John.

I'd also like to thank my family members who traveled to Nevada from Ohio for this occasion: my much older sister Karen, who for years had all my nieces and nephews convinced that I was older. So, this is my opportunity to set the record straight.

When we were kids, Karen and I used to lie in bed at night and think about what we'd do if we had a million dollars. I still don't have a million dollars, but I'm far richer than that. I'm rich with the love of a wonderful family and a fabulous professional life.

I also want to acknowledge my younger brother, David. He's a twin, and he tells me (and I don't think I really did this) that when he and his twin brother, Doug, were really little, I used to lure them with creepy crawlers into a box and then I'd shove them down the stairs. I think it's a rumor.

I'd also like to acknowledge my goddaughter and my niece, Denise. She is the daughter of my oldest brother, and I thank her for being here today.

I particularly want to thank my mother, Gertrude Agosti, for instilling in me the desire always to try to do my best. I know you're proud of me, Mom, because you told me that you are, but I'm even more proud of you. You raised seven children and you set an example for me of determination, spirit, and hard work which has always inspired me.

I also want to especially thank my children, Anthony and Austen. Boys, you are loving and supportive of me, and I am proud of both of you. You're growing up into such fine young men. You both put up with quite a bit when my pursuit of this office led me away from home too often for your tastes. You didn't complain (much) and you've both been really responsible and understanding, and I love you both so much.

I also want to thank my good bud who is here, Pete Breen, Judge Breen of the Second Judicial District Court, who has been the person I have relied on so much for courage, patience, and insight. And I'm going to miss our walks, Pete. You'll either have to come to Carson or I'll have to come to Reno so we can keep it up.

I want to express my excitement about joining a court during a time of great change, as the caseload continues to explode, as the court increases its membership from five to seven, as we embark upon a system of panels for case resolution. I'm eager to be a part of the changes, and I anticipate with great pleasure meeting the challenges that I will face as a new justice. I really look forward to working with the current members of the court for whom I have the utmost respect, and with the two new members that are joining me today. I hope to be the beneficiary of the experience of the other members of the court and will be seeking their advice as I learn the job. I hope to contribute my own energy and enthusiasm to the court and to cooperate with the other justices in striving for professional excellence.

I feel very blessed to have this opportunity to serve the state as a member of the court over the next 6 years. I promise that I will do my best to live up to the trust in me that you have expressed. And once again, I thank all of you so much for being here today. Thank you.

CHIEF JUSTICE ROSE:

Deby is known as a hardworking judge whose hallmarks are being very bright and very independent. We welcome you with open arms.

INVESTITURE OF JUSTICE MYRON E. LEAVITT

CHIEF JUSTICE ROSE:

I would like now to proceed with the investiture of Myron Leavitt. Our first speaker on behalf of Myron will be his daughter Deborah Earl.

DEBORAH EARL:

May it please the court . . . It is an honor to have been chosen to speak here today and be part of this great event. About 12 years ago, my husband and I lived here in Carson City while my husband clerked for Justice Cliff Young. Both Lance and I, we just loved our year here in Carson City, and we look forward to coming here and visiting my father while he is on the Northern Panel.

When I was a little girl, my father would come into my room in the morning and sing to my sister and me to wake us up. One of his favorite serenades was our state song "Home Means Nevada." Well, if any of you have ever heard my father sing—let's just say the shower looked real good when he started to sing. But over the years I learned every word to that song. My father loves this state, and he instilled in each of his children a love and respect of this state. My great-grandfather and my husband's great-grandfather settled in southern Nevada. Consequently, our children are fifth-generation Nevadans on both sides, and I hope that my husband and I can instill in them a love and respect for our state the way my father did for me.

My father, in case any of you haven't noticed, is a competitor, and he taught us to be competitors also. We learned that success comes after hard work, determination, and perseverance. And if you are getting kicked from behind, it meant that you were in front. Both my mother and my father stressed the importance of college and going on. It was never a question of if you go to college; it was a question of when you go to college. My parents give each girl that graduates in our family a special handmade-designed pin (and I'm wearing it here). Through their encouragement, all my sisters have matching pins. However, I suppose with 11 children and 30 grandchildren—and counting—teaching us all to be self-sufficient was self-preservation on their part.

When I was accepted into law school at my father's alma mater, I think he was more excited than I was. One of the first things he did was dig through some boxes, look through the house, drive my mom crazy, trying to find this little red book that was supposedly going to make the rule of perpetuities just a snap. What, are you kidding? It didn't. But it probably helped a little. I think he forgot over the years. When I started law school, I discovered that my property professor had actually taught my father and, even more surprising and amazing, was that he remembered him. Now, I don't know if that's good or bad, but I'll just give my dad the benefit of the doubt for today.

Robert F. Kennedy once stated, "If one man's rights are denied, the rights of all are endangered." In our country, the courts have a most important role in safeguarding these rights. The decisions of the courts, however much we might disagree with them, in the final analysis must be respected and followed. I know that my father, as well as all the other justices here today, respect and love the law, and that my rights, and my children's rights, will be protected under their watch.

Before I sit down, I'd like to mention one more thing. I just look out and I see so many members of our family, and our extended family, and friends that have made just a huge, great effort to travel here to be here today to share this special event with us. But one person is missing, and it's my Uncle Elwin, who passed away a couple of years ago. That's my dad's older brother, and he was just wonderful. He was a mentor to my father. He's the one that encouraged my father to go to law school. He encouraged him through all his campaigns, through his ups and downs. He was always there, and we truly miss him, but I have a feeling that he is here in spirit. Finally, Dad, congratulations, and I love ya.

CHIEF JUSTICE ROSE:

Thank you, Deborah. Our second speaker will be another of Myron's daughters, Michelle Fitzpatrick.

MICHELLE FITZPATRICK:

May it please the court . . . I'm number 8 in the lineup of 11 children. And, I am his fourth child to become an attorney. As most of you know, my dad presided over the Jeremy Strohmeyer trial that received quite a bit of publicity down in southern Nevada, and actually it did receive a lot of attention, you know, throughout the entire nation. He had numerous phone calls from media all over the country: *People* magazine, *20/20, 60 Minutes*. Everybody wanted to cover this trial. So one day he's sitting in his chambers, his secretary comes in and says, "Judge, *Time* mag-

azine is on the phone." He's thinking to himself, "*Time* magazine wants to talk to me?" So he picks up the phone and someone says, "Judge Leavitt, you can have *Time* magazine delivered directly to your home for a $1.50 a week."

My dad likes to tell everyone that I attended law school so that I could participate in the conversations at the dinner table, and I think there might be some truth to that, but he did encourage me to go to law school. He encouraged all of his children to get educated, but he told me and my sisters, "Don't marry a lawyer or doctor, become one yourself." That's the type of encouragement that we grew up with. I can remember when I finally came over to his house one afternoon and I said, "Dad, I really think I want to go to law school." At this time, I was married, I had a home, I had a new baby, I had a job, and I had health insurance. And I tell you, my dad, before I knew it, he gave me the money to enroll in the LSAT preparation course. I had been accepted into law school before I could even come up for air. He never even gave me an opportunity to change my mind. But a funny thing did happen throughout this period and throughout the preparation of getting ready to go to law school. All that I heard were positive things—"law school's great," "you're gonna be a lawyer," "you gotta go,"—all this great encouragement. We sold our home; we sold all of our belongings and moved to San Diego. He took me down to the law school, and we're looking around. We walked out in front of the law school. He looked at me, and for the first time he says, "I don't know how you're going to do this with a husband and a baby." And I remember thinking to myself, "Well <u>now</u> is a fine time to be telling me this!" But I did make it through law school, and I can tell you, it was a lot of encouragement on the part of my father and a lot of long-distance phone calls. He was there when I walked across the stage with my daughter Madeline and accepted my diploma. He was the one that told me that I'd passed the bar exam, and he was the one that administered the oath to become an attorney after I passed the bar exam.

When I was young, my dad was always coaching sports. As the governor said, he was very involved in Pop Warner, but that wasn't it. It was basketball; it was baseball; it was football. We had 11 kids, and there were constantly tons of kids at our home. But he had the opportunity to coach a lot of children that were disadvantaged, children that couldn't afford the shoes that they needed to play basketball or the shoes that they needed to play football—but not the kids that played for my father. Because if a child didn't have shoes, he made sure they did. And you have to remember, this is a pretty big deal because he had 11 pairs of feet that he had to keep in shoes at home.

My dad taught us discipline, he taught us perseverance, and he taught us always to hold our head high, even during adversity. He's not afraid to tackle the tough issues, as most of you probably know that already. I often ask him, "Dad, why do you always have to take the controversial cases? Why can't you ever recuse?" And his response is always the same, "Somebody has to do it." And I think that that attitude will make him a great supreme court justice on our court. As a trial judge, he's always distinguished himself. He's always been one of the highest-rated district court judges. As one attorney was quoted as saying, "Win or lose in his courtroom, you will always receive a fair hearing."

Recently, I was talking to a city attorney that was formerly at the district attorney's office and he was congratulating me on my father being elevated to the supreme court, and he says, "I just really have to share this story with you." He said, "When then-Governor Richard Bryan appointed your father to the bench, I thought, oh great, another political appointment that's not going to know what the heck he's doing." He was assigned to my father's track. He said one of the first times that he was in his courtroom, he was up there eloquently arguing his motion and my father said to him, "Counselor, would you like to approach the bench?" So he called him up to the bench and he says, "That's all fine, but what about this?" He turned the statute book around and pointed to a section in the statute that the attorney apparently wasn't aware of, and this attorney had to turn around with his head bent and walk back to the table. He said from that moment on, he knew that my father was going to be a great judge. My father also served as a probate judge. One of the last calendars that he had as a probate judge, he was going through his calendar and all of the probate attorneys were staying around, and they all waited until the very end, and they gave my father a standing ovation. And I think that that is a sign of the true, genuine respect that he has gained as a trial judge.

My dad worked very hard to get to this position. This is a very, very special day for our family. It marks the culmination of a lifetime of hard work and perseverance. My whole life we've been running for political office. Many of you also know that my father has held many different political offices. He has had a lot of great accomplishments, and if you asked him what one of his greatest accomplishments was, it wouldn't be the senior citizens' center that he helped get in downtown, it wouldn't be the tie-breaking vote that he cast when he was lieutenant governor to keep the death penalty in Nevada, it wouldn't be the numerous parks that he helped get built in Las Vegas—it would be the fact that he was able to raise 11 successful children. He has a poem in his chambers that he keeps behind his chair, and I'll paraphrase for you.

At the very end it says—it's all about success and at the very end it says: The true measure of success is how your children talk about you to their friends when you're not around. Well, if that's a true measure of success, I can tell you that he is an extremely successful man. And I also want to mention that my father did not do this alone. My father had a lot of help from my mother. The saying goes, behind every successful man, there is a great woman. I'd like to change that a little bit: Behind every successful man, there's an even greater woman, in this instance. In closing, I want to say that I am very proud to be Michelle Leavitt Fitzpatrick, daughter of Supreme Court Justice Myron E. Leavitt. Thank you.

CHIEF JUSTICE ROSE:

Thank you, Michelle. Our third speaker is someone who really needs very little introduction, at least in southern Nevada, and that's William Boyd. Bill is well known for his entrepreneurial efforts, but he is also a major benefactor of our new law school at the University of Nevada, Las Vegas. In fact, the school is called the Boyd School of Law. It's a pleasure to introduce our third speaker, William Boyd.

WILLIAM BOYD:

Good afternoon Chief, Justices, Governor Kenny Guinn, ladies and gentlemen. Thank you, Chief Justice Rose, for that introduction. You're in good company because nearly 15 years ago, the late, great Governor Grant Sawyer introduced me to say a few words about Myron at his investiture for the district court bench. Of course, those of you who are familiar with Myron's competitive spirit know that he was simply going yet for another endurance record. But fortunately for us all (myself in particular since I was able to dust off an old speech), that old adage that the third time is a charm is more than applicable here. I am delighted and honored to join with you today in welcoming a truly worthy jurist to the state's highest court.

Myron learned the competitive spirit in his early life having been an exceptional athlete in both track and football. He went on from Las Vegas High School to receive an athletic scholarship at the University of Nevada in Reno. In college, Myron and I first became good friends. We lived together in Lincoln Hall for 1 year, and we spent our last 2 years together in an apartment in Reno—and we had some very, very interesting experiences. I remember the time Myron, just like it was yesterday, that you and I . . . no, really Myron, I'm not going to tell that story.

After graduating from college, we both decided that we would go on to the University of Utah and hopefully become lawyers. After 3 tough years in law school, of course, we both assumed

that all of our financial problems were going to be over. I forgot to mention that in the meanwhile, Myron and Shirley's first son Dennis was born. Subsequent to that, their next three children were born about the same time as my three children. However, that's where all the comparisons end, because Myron and Shirley went on to have seven more. And I think that Myron really learned the virtue of patience with all of those children, which I think will be a great asset to him on the supreme court.

Anyway, sometime after arriving back in Las Vegas, Myron joined Jim Brennan and myself in our first law partnership. We continued that association for over a period of 10 years. We had been warned in law school by Judge Schiller, one of our law professors, that in the private practice of law it would either be a feast or a famine. Unfortunately, the good judge did not tell us that in the early years, there would be many more famines than feasts. But, we always had a lot of fun practicing. I have many, many fond memories of those years, Myron.

One of my favorite stories from those early days involved a man that Myron was defending on a murder charge. It was very difficult to suggest that it wasn't an aggravated murder because he ran over his wife not once, not twice, but numerous times with the family car, to ascertain with a great deal of certainty that she was indeed dead. After a rather long and difficult trial, Myron returned to the office and announced that he'd had his fill of defending murderers. "I lost twenty pounds, I couldn't sleep at night, and I think that's it for me," Myron said. "Wait a minute Myron, all is not lost," I told him, "whenever you start to put on a bit too much weight, we can always go out and find a murder client for you to represent." It's still just a joke, your honor.

But truly, Myron has come a long way. After almost 15 years of serving the residents of Clark County on the district court bench, it is high time that Myron brings his talents to our state's supreme court. I'm confident that he will be a marvelous addition to this court. His high ethical standards, his superb judicial temperament, and his ability to listen carefully to both sides of an issue will serve the State of Nevada well. Congratulations to you Myron, Shirley, and the entire Leavitt family. You have every right to stand extra tall today. Thank you very much.

CHIEF JUSTICE ROSE:

In one moment, I will step down and administer the oath of office to Myron. The bible will be held by his wife Shirley and assisting and standing behind her will be their five daughters. We've already met Deborah and Michelle, and they will be joined by Kathleen Wright, Cynthia Foote, and Susan Abbatangelo. After the swearing-in, Myron will be robed by his brother Jack Leavitt,

and his six sons will stand behind him. They are Dennis, Steven, Thomas, Andrew, Delbert, and James. At this time, I will step down and administer the oath to Myron. *(Chief Justice Rose administered the oath of office to Justice-Designate Leavitt.)* Congratulations, you are duly installed.

LEAVITT CHILDREN:

Go, Dad!

CHIEF JUSTICE ROSE:

Ladies and gentlemen, it is a very real pleasure to introduce Associate Justice Myron E. Leavitt.

JUSTICE LEAVITT:

You know I've lost a few elections, but I'm gonna tell you, winning is better. You just met my political machine. All the boys know every place in the state where there's a good place to put a political sign. The daughters know how to take surveys, and they're all the best envelope stuffers you ever want to have in your campaign. They're all well trained. I want to thank all the people, friends, and family that appeared here today, and I appreciate your support.

I want to tell you a little story that happened in the last campaign. Shirley and I were working in a particular area where we didn't do too well in the past, and she was on one side of the street and I was on the other. And what we were trying to do is find out if there was somebody in the area that was favorable to us. We'd put a "Y" for yes and an "N" for no. And then, about a week before the election, we'd call all the ones that said yes to make sure they got to vote. We didn't care if the no's voted at all. But anyway, she was going down one side of the street, and she walked up to this place. There was a fellow sitting on the porch, and I heard him say, "I wouldn't vote for your husband if he was the only one on the ballot. He represented my wife in a divorce against me, and they cleaned me out. He's a scoundrel. I wouldn't vote for him at all." So I got down to the end of the block, I walked over, and I said, "Shirley, what did you put down for that guy?" She says, "U." I said, "U?" "Undecided."

You know besides my family, I had a lot of help. One of the few people I do want to mention that's here today is Dave Cox. Wherever I had to go in the state, Dave was there. He was my driver and my companion. You know, I had a political consultant. A lot of people didn't think I did, but I really did, and Ken Oram has advised me throughout my campaign. And I had a campaign headquarters manager named Shawnee Marxon who could tell everybody where to go and what to do. And if you don't believe it, you can ask her husband.

You know Debbie mentioned my brother Elwin, and we do miss him. Elwin and I looked a lot alike. And Elwin used to go over to the courthouse all the time, and the bailiff would call him "Judge." And they would say, "Judge, you don't need to go through that metal detector. You can go through this way." And then he'd go back to the office and tell Shirley how he had fooled all the bailiffs at the courthouse. Well, one time I got an assassination threat. I didn't take it seriously, but the D.A. did, and the sheriff did, and so I went back and I said, "Elwin, somebody put a contract out on me." Elwin didn't go near the courthouse for 6 months.

You know, Kenny, I guess I can still call you Kenny, can't I? I can call you coach too, right? Okay? This last campaign I went to Moapa Valley to a political gathering, and Kenny Guinn was going to be one of the speakers. When I got there (it was a Republican function, but I went there anyway), I said, "Where is Kenny Guinn?" They said, "Well, he's in Salt Lake City. Governor Mike Leavitt (who is my cousin) is having a fund-raiser for him in Salt Lake." I said, "Gee, that's nice." Next time I saw Kenny, I said, "Kenny, I want half." Do you know he's never accounted for that yet.

Nevada is a great state, and one of the reasons it is a great state is because of the great people. Now, when Bill Boyd and I were roommates at the University of Nevada, living in Lincoln Hall, not in our wildest imaginations did we ever think that Bill Boyd would become a member of the Fortune 500 and donate 5 million dollars to start a law school at the University of Nevada, Las Vegas. And now, I'm going to be a Justice of the Nevada Supreme Court. Bill, we fooled a lot of people, especially professors.

In 1878, my grandfather moved into southern Nevada. He couldn't read. He couldn't write. So he sent to Utah for a schoolmarm to come down and teach his children and the children in the community. That schoolmarm became my mother. My father was a county commissioner, and now his [my grandfather's] grandson is about to become a Justice of the Nevada Supreme Court. The Leavitt family has a motto. The motto is: "Mind conscious of right." And I pledge to you, that my mind will always be conscious of what is right. The legislature has given us a new court, with a new image, and new challenges, and we're all going to work hard to make it one of the best supreme courts in the nation. Now, if you'll just excuse me, I've been waiting 10 years for this. I want to go sit on that bench.

CHIEF JUSTICE ROSE:

Myron has been an excellent district court judge for many, many years. I know—I had the pleasure of serving with him for

several years. He's a workhorse on the bench, and we don't want him to change a thing. We want him to keep all those habits, his common sense and his good judgment, and we welcome you wholeheartedly to the Nevada Supreme Court.

INVESTITURE OF JUSTICE NANCY A. BECKER

CHIEF JUSTICE ROSE:

I would like to now proceed with the investiture of Nancy Becker. Our first speaker on her behalf will be Anna Peterson. I know that you're looking at your program and saying that Bob Rose just made his second mistake, and you're right. That's the way the program reads, but this is a personal request from Nancy and her team. Anna Peterson is someone who doesn't need much of an introduction in southern Nevada. She was the Court Administrator for the Eighth Judicial District Court for many years. She was the administrator when I went on the bench, and she is a friend to all the judges and everyone in the legal community. It's a real pleasure to introduce our friend Anna Peterson.

ANNA PETERSON:

As Nancy Becker comes to the Nevada Supreme Court, she adds a dynamic and dedicated jurist: one who is experienced in all the phases of the law, one who is used to long hours, and one who is anxious to assist in the public good. Over the years, I have witnessed that it takes more than a black robe and a gavel to make an able judge. Certain qualities must be stirred, like moral courage, decisiveness, patience, fairness, the proper use of power, compassion, and education and training. Nancy has these attributes. She is ready.

Just over the recent holidays, I was at a gathering and they were discussing a court case, and I'm always very nervous where I hear a citizen begin their adventure that's just been through the system. But it was very gratifying to hear this gentleman, and as he began to tell about his story in court, one of the bystanders said, "Well, who was your judge?" And he said, "Nancy Becker," and then I became very interested. And someone else said, "Well, how did she do?" And he said, "I was very impressed." And then he went about telling how the business proceeded in Department Two, and many qualities surfaced. First of all, he said, "Well, she was firm, but friendly and cordial. She seemed to get to the root of the problem quickly, and it was evident that she'd read all those papers." Nancy has a gift of being able to sit in a very long meeting or a complex hearing and sum up in two sentences what has

been said all morning. And she'll say, "Oh, you mean this." She's able to grasp the whole and refocus, and we can proceed. And then he went on, "Though the case was not a criminal or a life-threatening case, it wasn't even a jail-threatening case, she gave it her full consideration." "In fact," he said, "it was just a neighbor-to-neighbor dispute about a flooding basement. But she made us feel genuinely concerned that that matter was important to her. After all, it was our home." His observation was accurate. In all the years I've known Nancy, I've never known her to belittle a matter. To her, there is no unimportant case, and she reflects her concern to all the parties involved.

One day, after attending a very long conference in Tonopah, the judge and I started back to Las Vegas. We're rolling down U.S. 95. We're chatting. We're visiting and telling stories and jokes. We are hearing a siren behind us. She pulled over. "Good afternoon officer. Oh, a little fast? Well, you know you just go. It's so smooth, you just don't realize." But he pulled out his pad. You know, I wondered if he would acknowledge who she was, or if she would tell him who she was, or if she would use her power, because she was the Chief Judge of the Eighth Judicial District Court of Nevada. She was the president of the Association of the Handicapped. She was chairperson of a dozen major organizations for good. She was magna cum laude. But I read the sign in her eyes, "No, I don't handle it this way." She accepted her ticket graciously. He left. And we resumed our former speed.

You know, this event today is officially called an investiture because it confirms that Judge Agosti, Judge Leavitt, and Justice Becker have now been invested with the authority and obligation to hear and act upon supreme court cases. But what have they invested? What has Judge Becker invested to be ready to serve in such an honorable position? Years of education, and training, and experience. Her skills of attentive listening, patience and compassion, her energy and hours to the Nevada citizens. In fact, I think it would be difficult to find a judge that has a greater sense of community than Judge Becker. Along with all her judicial and business awards, and there were so many we could never get them on the walls in her office, she has not neglected the citizen—the citizen of Nevada. She has been honored by or held key positions in various civic organizations such as Opportunity Village for the Mentally Disabled, Nevada Association of the Handicapped, Soroptimists International, Clark County Pro Bono Project, Candlelighters of Southern Nevada and is a recipient of the Liberty Bell and J.C. Penney Golden Rule and many more awards.

But, I think Chuck Short and I got to know Judge Becker best when we were working on the family court building. For over a

year, we met on our own time every Saturday morning to accomplish what needed to be done in order to be within the construction time frame. Courthouses are quiet on Saturday. They're dark and hushed and somewhat strange, but we were there. We discussed ideas, we studied plans, and I remember being amazed at how well she understood blueprints and building specs. But she thought, just like in her judicial work, that we should know every detail; that we should know where the plugs were going to be and the phones and the computers. And we had a lot to worry about as far as safety and the security problems we would face in that building. But she brought to this project her time, her own time, her energy—and I think we took turns bringing the muffins. But you know, she's doing it again. With Sheriff Keller and D.A. Stew Bell, she serves now as a key leader in the construction of the new justice system building in Clark County.

There are some traits of Nancy Becker that are just memorable. She enjoys and laughs at little things. It's not so much what she laughs at as the spontaneous laugh itself. It starts at the bottom of her shoes—or on most days her boots—and bubbles to the surface in a most contagious sound. Nancy loves good movies, *Star Trek* adventures, fairy tales, and her rare collection of comic books. She dresses up for Halloween. We used to watch the parking lot to see what she would be in. What would it be this year? But her life has balance, and the child remains. She has a calming and caring manner. When her former secretary Lydia Cartwright retired, and at the time of the death of Lydia's husband, I realized how deeply she was affected and what a marshmallow heart she had. The tears came, but all she said was, "Lydia's my friend." But it was as if it had all happened to her. When we lost our young son-in-law in a car accident, her few words have brought much comfort to us: "He's only a memory away." So, Nancy, Justice Becker, we honor your name. We remember your service and acknowledge your fame. We thank you for giving and all that you do, for sharing this memory of this great day with you. Thank you.

CHIEF JUSTICE ROSE:

Our second speaker is Patricia Becker, Nancy's sister. Patty is a fine attorney who has served the state with distinction as a member of the Nevada Gaming Board and now is in private practice. Patricia Becker.

PATRICIA BECKER:

Twenty-three years ago, I was a law clerk for the Nevada Supreme Court. My brother Martin had been a law clerk 2 years earlier and continued to work for the court. Martin and I spent

numerous hours that year trying to convince our younger sister Nancy not to go to law school. At that time, Nancy was about to graduate college as valedictorian of her class. It was not a big surprise to us that she was valedictorian because she had been valedictorian of her high school class. Martin and I, with our collective 3 years of legal experience, knew what Nancy should do with her life. Of course we knew, we were lawyers. We urged Nancy to go to veterinary school. She loved animals. She still does. Nancy was painfully shy growing up, or maybe just painfully shy compared to her older siblings, and we could not imagine her in the legal profession. We were so wrong.

It is with incredible pride and pleasure that I get to represent our family today and tell you not about a judge, but about a sister, a daughter, and an aunt. Nancy is a native Nevadan, born in Las Vegas, the youngest in our family. To some degree, our childhood revolved around my parents' business, a children's shoe store. My parents worked 6 days a week, which established routine in our household. The shoe store closed at 6:00, so we had a family dinner together every night at 6:15. We took a family vacation once a year in July (a slow time of year for selling shoes in Las Vegas). For our vacation, my parents would put a sign on the front door of the shoe store, which stated, ''Gone Fishing,'' and we would pack up in the family station wagon and head off for 2 weeks. We all worked at that family shoe store. As teenagers, most Saturdays we were the cashiers. Now, we didn't have a cash register, we had a cash drawer, so our math skills had to be pretty good. My parents, through this family business, taught us many of the values that bring Nancy to this position today: a strong work ethic, personal integrity, commitment to the community, honesty, dependability, stability, consistency. When you were growing up in Las Vegas 30 to 40 years ago, you were truly raised in a small town with small-town values.

There was something unusual in our family—unusual for that time—which helped shape who Nancy is. My parents came from very diverse religious backgrounds. My father, the eldest son of a Jewish household, and my mother, from a large Irish-Catholic clan. Because of their diverse upbringings, we celebrated all holidays in our home: Hanukkah, Christmas, Passover, Easter. But these celebrations were valued almost as much for their educational value as for their spiritual value. My parents never allowed any ethnic or religious slur, joke, or comment in our home. We weren't just taught diversity and tolerance; we lived it. This acceptance of different views is so very much a part of Nancy—I believe an important part of why she is such an excellent judge.

While many of Nancy's attributes come from her childhood, her growth as an adult is truly impressive. Nancy has earned the

respect of her peers. She is consistently one of the highest-rated judges in the Clark County judicial poll. She is committed to her community. In addition to her involvement in Soroptimists, and numerous civic organizations, she was president of the Clark County Pro Bono Program for 10 years and president of the Clark County Handicapped Association for 4 years. Nancy is a true leader. She is responsible for building consensus among Clark County judges and officials, as project manager for the $126 million, 700,000 square foot Regional Justice Center Complex. This justice center will house the 19 district court judges, Las Vegas municipal and justice court judges, and the district attorney's office. This is in addition to the lead role she played in designing Clark County's Family Court Complex.

Nancy has the ability to listen and to continue to learn. She is well read, opinionated, and occasionally feisty. Nancy has always remained true to herself. At a time when women are molded and oftentimes confused by what we should and shouldn't be, Nancy has maintained her equilibrium and independence by continuing hobbies she had as a child. Much to her nephews' delight, she loves comic books and has one of the largest collections in the state. She loves to read mysteries and science fiction. It would not surprise me if her next career was as a writer. She loves to laugh, and she loves her work.

If I could predict the future, I would say that Justice Becker would be known for always being prepared, for her consistency and predictability, for her well-reasoned opinions, and for the leadership she will bring to the bench and bar. As a lawyer, I know that becoming a supreme court justice at 43 provides Nancy an opportunity to have a profound impact on this state. Her intellect, leadership, tireless work, and commitment will truly benefit the legal system in Nevada. As a sister, I worry that Nancy is now being elevated to what can be a lonely and isolated position, but I know she is ready for this next step in her career and that the love she has from her family and the friends in this room will continue to support her. Nancy, I speak for the entire family when I tell you how proud we are of you today. You are a loving daughter, a wonderful sister, a fabulous aunt, and you will be one hell of a supreme court justice!

CHIEF JUSTICE ROSE:

Thank you, Patty. In one moment, I will step down and administer the oath of office to Nancy. At that time, Martin Becker, her brother, will hold the bible for Nancy, and thereafter, her father Bill and stepmother Colleen Becker will place the robe on Nancy. *(Chief Justice Rose administered the oath of office to Justice-Designate Becker.)* I declare you duly installed.

JUSTICE BECKER:

(During the robing ceremony.) My father just said this is better than changing diapers.

CHIEF JUSTICE ROSE:

Ladies and gentlemen, it's a very real pleasure to formally introduce Associate Justice Nancy Becker.

JUSTICE BECKER:

First, those of you who know Patty and I both know that we don't cry a lot. So I think it tells you a lot about the emotion that my family has today and that I have. If John Donne composed his famed "Devotions" today, he would no doubt say that no person is an island, entire of itself. Every person is a piece of continent, a part of the main. Today you have heard from our families and friends about our accomplishments, backgrounds, and spirits. We all share this moment with those families and friends because without them we would not have reached this goal. It is my joy to thank those who have supported me over the years: Dad, Colleen, Martin, Patty. You have met them here today, and like Myron, who remembers Elwin, I also have my mother Margaret . . . and my grandparents, who are here in spirit. There are also a number of people in the audience who have been the foundation for my being and for my career. My Aunt Delores and Uncle David, and all my cousins, who traveled here from California. Anna, Joe, Jean, Poco, Georgia—friends who've seen me grow and have taught me lessons about life. Sharron, Chuck, and the rest of my staff and coworkers—the people who've kept me on an even keel at the district court for the past 9 years. Anna, of course, being number one amongst this group. To Lisa and Dan for always making me look good, literally. (Some people were commenting today that they had not seen me in makeup, and as you know, I could never do this myself with my hair.) To Spike and Janice for introducing me around northern Nevada at the risk of removal from the social registry. And, of course, to my nephews James and Scott, who are always there for their Aunt Nancy. I would also like to thank Senator Raggio for always having time to help a young lawyer and judge through the hallowed halls of the legislature. Roseann, Catherine, Margo, Dan, Jayne, Terry, and all the hundreds of people who volunteered so many hours on the campaign trail. Billy, Rosemary, Mike, Jim, and all the creative people at R & R and Paladin Advertising for helping to tell the world about a woman named Nancy. And finally, Frank and Bonnie Schreck whose friendship and support make all things possible.

This is a wonderful time to be a Justice of the Nevada Supreme Court. On the verge of a new century, we have the opportunity to

create a symphony of justice to support a world of infinite diversity in infinite combinations. Each of us will add our own expertise to the orchestra—sometimes playing harmony, sometimes playing counterpoint—but always in tune. I look forward to making "marvelous" music under our able conductor, Chief Justice Rose. And on that note and consistent with some of the things that Anna described about me, I have something for each of my fellow justices. Janette, if you would hand these out for me, please. *(The clerk is given a bag of rubber nose masks.)* If at any time our tempers become frayed and if at any time our noses get just a little out of joint, I'd ask that you remember these and wear them. I have given to them the noses of an alligator, shark, elephant, tiger, rhinoceros, and walrus. I myself kept the eagle. All animals with distinct traits and personalities, but I'm sure that we can all work together for a better State of Nevada. And finally, one final thanks to my father, who with my mother and the family business, as Patty told you, gave his children an opportunity to be whatever we wanted and always encouraged us to do our best. And I pledge to you that I will do that on the Nevada Supreme Court. Thank you.

CHIEF JUSTICE ROSE:

Anyone who knows Nancy knows that she has a brilliant mind, is a prodigious reader, and has proven to have the ability to persevere for a good cause and to make that a reality as she did as the moving force for the Regional Justice Center in southern Nevada. It's really a pleasure to welcome you here, Nancy, and we can certainly use your good talents. And I just want to know, does the fact that I got the alligator have any significance?

JUSTICE BECKER:

No significance. That was a random choice from the bag of goodies.

CHIEF JUSTICE ROSE:

Thank you so very much. I want to welcome all of our new justices and congratulate them on this very special day. The new work will require some adjustments, but all of us have done it, and the transition, I think, will be made in 3 to 6 months. Our job at the Nevada Supreme Court is to reach the appropriate result on the cases appealed to us in a reasonable amount of time. The new members will assist us in accomplishing that goal. We have a good plan for the simultaneous operation of two panels and the full court, and it will undoubtedly need modification and adjustment during the first year. But it is not the plan, it is the people that will make the new court structure successful. Our staff has

worked very hard and is dedicated to the new court structure. And the justices, my colleagues here on the bench with me, are the ones that will make this plan work and who have put forth, and will put forth, the commitment and effort to make the Nevada Supreme Court a success in the future.

I have been asked to invite you all to a reception for the new justices immediately after this investiture at the Ormsby House, and I'd like to at this time call on Reverend William C. Webb to give us our benediction, and immediately thereafter I'll make a few closing remarks, and then we will be adjourned. The Reverend William Webb.

REVEREND WILLIAM C. WEBB:

Let us pray. Almighty and everlasting God that gives and sustains our life, we thank You for each Associate Justice. I ask, dear God, that Thou will give this court the wisdom, knowledge, understanding, and discernment to make decisions that will be found favorable in Thy sanctum. Knowledge that is able to keep you from falling, and to present you faultless, before His presence with exceeding joy, to the only wise God, our savior, be glory and majesty, dominion and power, now and forever. Amen.

CHIEF JUSTICE ROSE:

Ladies and gentlemen, before we adjourn I would like to do one last thing that I think many of us up here have wanted to do for a long time, and that is introduce to you the new Nevada Supreme Court. Thank you very much. We are adjourned.