

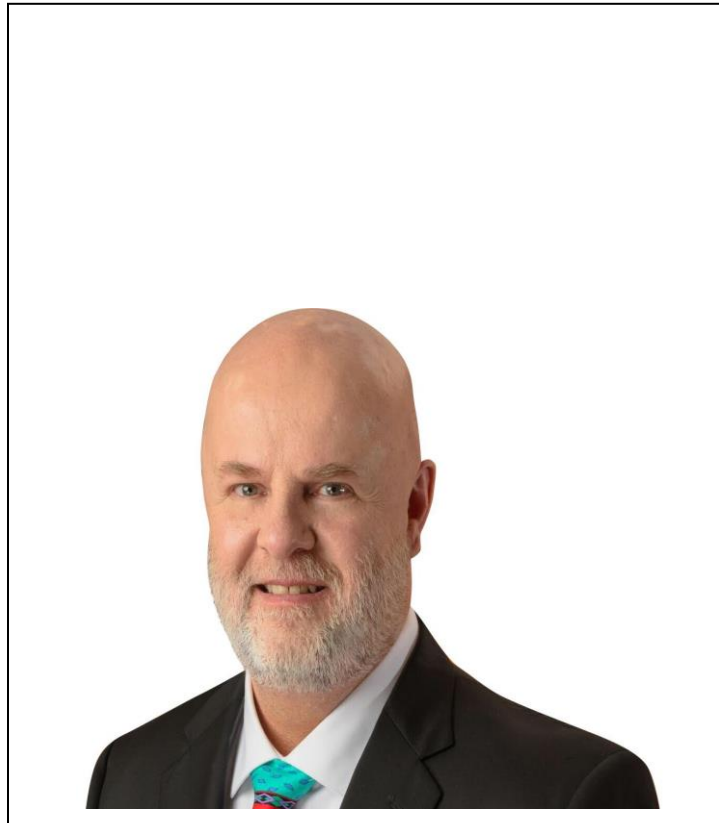
PUBLIC INFORMATION  
COMMISSION ON JUDICIAL SELECTION APPLICATION  
EIGHTH JUDICIAL DISTRICT  
DEPARTMENT 7

Replace the highlighted spaces on this page with the vacancy you seek to fill  
VII, C or N

Candidates may only choose one department and may not withdraw to apply for another department within this selection period

**By**

**James Dean Leavitt**



Personal Information
----------------------

1.	Full Name	James Dean Leavitt
2.	Have you ever used or been known by any other legal name (including a maiden name)? If so, state name and reason for the name change and years used.	No
3.	How long have you been a continuous resident of Nevada?	October 1991
4.	City and county of residence	Las Vegas, Clark County
5.	Age	60

Employment History
--------------------

6. Please start with your current employment or most recent employment, self-employment, and periods of unemployment for the last 20 years preceding the filing of this Application.

Current or Last Employer	Law Office of James Dean Leavitt
Phone	702-384-0909
Physical Address & Website	10339 Queensbury Avenue Las Vegas, NV 89135
Date(s) of Employment	Opened my law practice February 14, 1994
Supervisor's Name and Title	Self
Your Title	Owner and Operator
Describe Your Key Duties	I manage all aspects of my practice including marketing, client intake and representation.
Reason for Leaving	N/A

Previous Employer	Goodman and Chesnoff
Phone	702-384-5563
Address & Website	520 South Fourth Street Las Vegas, Nevada 89101 – No website exists
Date(s) of Employment	January 1993 to January 1994
Supervisor's Name and Title	David Z. Chesnoff - Partner

Your Title	Associate Attorney
Describe Your Key Duties	Research and Writing
Reason for Leaving	Opened my law practice February 14, 1994

Previous Employer	Galatz, Earl, Catalano and Smith
Phone	Firm has disbanded – 3 partners are deceased
Address & Website	N/A
Date(s) of Employment	October 1991 to December 1992
Supervisor's Name and Title	Roy Smith
Your Title	Law Clerk
Describe Your Key Duties	Research and writing
Reason for Leaving	Accepted employment with Goodman and Chesnoff

Previous Employer	UNLV – Greenspun School of Communications
Phone	702-895-3325
Address & Website	Mail Stop: 5007 4505 S. Maryland Parkway Las Vegas, NV 89154
Date(s) of Employment	1993-1998
Supervisor's Name and Title	Stephen Nielsen – Director of Department of Communications (Deceased)
Your Title	Adjunct Professor
Describe Your Key Duties	I taught two sections of COS 101 each semester which was Public Speaking
Reason for Leaving	Left to spend more time with my two young sons and focus on building my law practice.

Educational Background
------------------------

7. List names and addresses of high schools, colleges and graduate schools (other than law school) attended; dates of attendance; certificates or degrees awarded; reason for leaving.

Western Canada High School - class of 1979. Ricks College - Associate of Arts degree -1983. Brigham Young University - Bachelor of Arts degree -1985. William S. Boyd School of Law – Master of Laws – Gaming Law and Regulation – 2016. I left all institutions upon graduation.

8. Describe significant high school and college activities including extracurricular activities, positions of leadership, special projects that contributed to the learning experience. From the age of 13 to 19, I spent the majority of my time training and competing as an athlete. By the age of 19, I was the number two ranked singles player in Canada in the sport of badminton and the number one ranked doubles and mixed doubles player in the Under 19 division. The essential qualities learned were commitment and discipline. After serving a mission in southern California for my church, I enrolled in 18-20 credits a semester until graduating from BYU in 1985. At Ricks college I created and served as President of the campus Canadian Club where we served 500 Canadian students a traditional Thanksgiving meal who were away from home.
9. List names and addresses of law schools attended; degree and date awarded; your rank in your graduating class; if more than one law school attended, explain reason for change. I attended the University of Idaho in the fall of 1988 and graduated in the spring of 1991, earning my Juris Doctor degree. I attended the University of Oregon School of Law as a visiting student from the winter of 1990 until the spring of 1991. My reason for attending the University of Oregon was to experience living in a different and beautiful part of the country. Class rank was 64 out of 83.
10. Indicate whether you were employed during law school, whether the employment was full-time or part-time, the nature of your employment, the name(s) of your employer(s), and dates of employment. I was a law clerk at the United States Attorneys office in Eugene, Oregon during the summer of 1990, after my second year of law school. Most of my work was spent writing Sentencing motions.
11. Describe significant law school activities including offices held, other leadership positions, clinics participated in, and extracurricular activities. I competed and earned a coveted spot as a member of the National Moot Court team.

Law Practice
--------------

12. State the year you were admitted to the Nevada Bar. 1992

13. Name states (other than Nevada) where you are or were admitted to practice law and your year of admission. I was admitted as a member of the United States District Court District of Nevada on September 28, 1992, the United States Court of Appeals Ninth Circuit on November 10, 1992 and the Supreme Court of the United States on April 29, 1996.
14. Have you ever been suspended, disbarred, or voluntarily resigned from the practice of law in Nevada or any other state? If so, describe the circumstance, dates, and locations. No  
Choose an item.
15. Estimate what percentage of your work over the last five years has involved litigation matters, distinguishing between trial and appellate courts. For judges, answer questions 16-20 for the five years directly preceding your appointment or election to the bench. 60% criminal, 30% gaming, 10% civil.
16. Estimate percentage of time spent on:

Legal Discipline	Percentage of Practice
Domestic/family	
Juvenile matters	
Trial court civil	
Appellate civil	
Trial court criminal	60%
Appellate criminal	
Administrative litigation	
Other: Please describe	40%

17. In the past five years, what percentage of your litigation matters involved cases set for jury trials vs. non-jury trials? The majority of my criminal cases are set for felony trial with the exception of misdemeanor DUI's and Battery/Domestic Violence cases. Gaming cases are regulatory and administrative and do not involve trial work.
18. Give the approximate number of jury cases tried to a conclusion during the past five years with you as lead counsel. Give the approximate number of non-jury cases tried to a decision in the same period. No felony trials in the past 5 years. I have had dozens of felony cases set for trial but was able to successfully negotiate each one of them to the satisfaction of my clients. I have had one non-jury trial in the past five years where I secured a Not Guilty verdict from Judge Amy Chelini in Las Vegas Justice Court Department 14.
19. List courts and counties in any state where you have practiced in the past five years. I have practiced in Las Vegas Municipal Court, Boulder City Justice Court, Pahrump Justice Court,

Tonopah Justice Court, Las Vegas Justice Court and the Eighth Judicial District Court. Prior to this I have represented criminal clients in Carson, Washoe and Lyon Counties. In addition, I have represented criminal clients in California, Florida, Hawaii, Kentucky, North Carolina, Utah and Washington.

20. List by case name and date the five cases of most significance to you (not including cases pending in which you have been involved), complete the following tables:

Case 1
Case name and date: State of Nevada v. Jose Escamilla – Case #05CRN00039-0002 2005
Court and presiding judge and all counsel: Judge Stephen Dahl – North Las Vegas Justice Court. Available records do not show the name of the prosecutor.
Importance of the case to you and the case’s impact on you: Jose Escamilla was a 13 year old boy walking down the street in his neighborhood of North Las Vegas who was asked if he wanted to hang out with a group of older kids who were driving around in a van. My client joined the group of older teenagers. A few minutes later the occupants of the van stopped and and approached a residential home leaving my client in the van alone. While outside the home a murder was committed and other individuals injured. The State certified my client as an adult and charged him with one Count of Conspiracy to Commit Murder, one Count of Murder with a Deadly Weapon, and four Counts of Attempted Murder with a Deadly Weapon. The case proceeded to a preliminary hearing and the Deputy DA argued that my client was either the driver or a lookout and that there was sufficient evidence to bind the case over for trial. The Deputy DA refused to make a reasonable offer of any kind and my client was facing life in prison. I successfully argued the “mere presence” doctrine and after listening to all the evidence presented, Judge Dahl dismissed the charges. The co-defendants were all bound over for trial. It would have been easy and perhaps appropriate to plead this case down to second degree murder and have my client serve 10 to 20 years in prison, but I believed he deserved better than that. This case garnered significant media attention and was reported on by the Las Vegas Review Journal. Every death is tragic, regardless of the reasons. My client was in the wrong place at the wrong time and foolishly accepted a ride from people he barely knew. I have used this case as an example to my sons when they were teenagers. The message is clear. One bad choice can ruin your life. Fortunately, they listened and are now both adult professionals and thriving in their chosen fields.
Your role in the case: I was his attorney.

Case 2
Case name and date: State of Nevada v. Patricia Copening – Case #06C219631 2006

Court and presiding judge and all counsel: Judge Tim Cory and Chief Deputy District Attorney L.J. O'Neal
Importance of the case to you and the case's impact on you: Patricia Copening was driving her vehicle when she hit and killed a husband and father of two, who was standing outside his stalled vehicle on the US 95. That year alone my client was prescribed 3,410 hydrocone tablets and 2,177 soma tablets, both powerful narcotics dispensed for the treatment of pain. My client and her treating physicians were civilly sued and the case generated significant media attention due to the shocking number of prescribed pills. Ms. Copening was an employee of her prescribing physician which raised additional questions. Both of her treating physicians were investigated by the Nevada Department of Public Safety and the DEA. My client was charged with one Count of Involuntary Manslaughter, one Count of DUI Death, and one Count of DUI Substantial Bodily Injury. During the discovery process we identified a motorist who witnessed the accident that believed my client was having a seizure, immediately prior to the collision. Ms. Copening had a history of seizures and I argued that the seizure was the cause of the accident and not the prescribed controlled substances that were in her blood at the time. The charges were subsequently reduced to one Count of Felony Reckless Driving and my client was sentenced to a fixed 5 year term of probation with 9 months in the Clark County Detention Center, as a condition of probation. This case was reported on by Frank Curreri with the Las Vegas Review Journal. Abuse of prescription drugs by physicians and their patients has become a scourge on society. This case highlights those dangers. Had a witness not come forward who reported what he believed to be a seizure prior to the accident, my client might have spent decades behind bars. Discovering this witness is what made the difference in receiving probation from Judge Cory rather than a lengthy prison sentence.
Your role in the case: I was her attorney

Case 3
Case name and date: State of Nevada v. Dominic Jones – Case# C223592 2006
Court and presiding judge and all counsel: Judge Valerie Vega and Deputy District Attorney Susan Pate
Importance of the case to you and the case's impact on you: Dominic Jones was a 19 year old male who was driving his vehicle with his girlfriend and two of his friends. A dispute ensued and what happened next is not clear. The two passengers in the rear exited the car and one of the subjects was beaten, shot and killed. What is clear is that my client and the co-defendant fled the scene. My client and the co-defendant were charged with one Count of Conspiracy to Commit Murder and one Count of Murder with a Deadly Weapon. Hours before the murder my client committed a robbery, and was subsequently charged after beating a 17 year old and stealing his wallet. My client retained me the following day. My client and the co-defendant both accused each other of being the shooter. Early and aggressive discussions with the Deputy DA proved fruitful and my client ended up pleading guilty to Accessory to Murder and Robbery. I knew that the only way my client could

possibly receive a probationary sentence was if he immediately turned his life around. He spent the next year working, performing community service and attending church. Even then, the Deputy DA asked the Judge that he be sentenced to 6-15 years in prison for his crimes. My client was given a 5 year probationary sentence and the co-defendant was sentenced to 8-20 years in prison. This case received significant media attention and was reported on by K.C. Howard with the Las Vegas Review Journal. You never forget murder cases because of the devastating impact these cases have on so many lives and this case reminds me of how important it is at certain times to act quickly on behalf of your client. But for my quick action, it may have been my client that served 8-20 years in prison.

Your role in the case: I was his attorney

#### Case 4

Case name and date: State of Nevada v. Douglas Raymond Hoffman – Case#C222319 2006

Court and presiding judge and all counsel: Judge Don Mosley. Unsure who represented the State at trial.

Importance of the case to you and the case's impact on you: My client was accused of chopping down more than 600 trees in the Anthem community of Henderson between October 2004 and November 2005. He was charged with 10 Counts of Malicious Destruction of Property, 7 of which were felonies. Prosecutors argued that he initially cut down the trees because they obscured the view from his property and that he cut down the others to create a diversion from his original actions. The estimated damage was \$246,000.00. Prosecutors alleged that on some nights he cut down over 100 trees. My client was disabled and had a recent hip replacement and I argued at the preliminary hearing that not even Paul Bunyan would have the strength to cut down this number of trees, much less my client. The irony of this case wasn't so much the media attention it received by the Las Vegas Review Journal, it was the passion and involvement of the residents of the community. Numerous Henderson residents attended the preliminary hearing. Once the case was bound over to District Court, my client used the services of the public defender. He was later convicted at trial and sentenced to 18 – 60 months in prison. This case taught me that the initial facts are not always what they seem and that anger and resentment can cause even the most physically weak and infirm persons to perform acts that require extraordinary strength.

Your role in the case: I was his attorney through the preliminary hearing.

#### Case 5

Case name and date: Robert Kilroy v. The Nevada System of Higher Education

Court and presiding judge and all counsel: James Martines – NSHE General Counsel



Importance of the case to you and the case's impact on you: Mr. Kilroy was hired to be the Chief of Staff and Special Counsel to the Nevada Board of Regents on August 8, 2022. This hire occurred after two failed searches resulting in the search lasting one year in length. After less than three months in his position, my client was given a Notice of Contract Termination by the Chairwoman of the Board. This was arguably legal but to terminate someone without any mentoring, corrective action or progressive discipline was outrageous. Mr. Kilroy sought out my services because of my experience as a former Regent and two time Chairman of the Board. I chose to represent Mr. Kilroy pro bono because I felt the Board's presumptuous notice to terminate him so abruptly and so early after his hire was so inappropriate. I was hired on November 16, 2022, two days prior to the scheduled Special Board meeting where the Board would deliberate and then determine his fate. 24 hours later we secured a substantial settlement. This case was of great personal interest to me because I had been a prior applicant for the position. It was the ironic that I was hired by Mr. Kilroy and the settlement was personally satisfying for that reason. The main reason the case settled so quickly and successfully is that I was personally aware of a pattern of misconduct and abuse of power by many members of the Board of Regents. They made a wise decision to limit their potential exposure to more bad press and potential litigation by settling the case. This case generated significant media coverage and was reported on by Lorraine Longhi with the Las Vegas Review Journal and Jacob Solis with the Nevada Independent.

Your role in the case: I was his attorney

21. Do you now serve, or have you previously served as a mediator, an arbitrator, a part-time or full-time judicial officer, or a quasi-judicial officer? To the extent possible, explain each experience. No  
Choose an item.
22. Describe any pro bono or public interest work as an attorney. For 28 years I have given free consultations to each client that sought out my services whether they retained me or not. This has resulted in thousands of hours of pro bono work.
23. List all bar associations and professional societies of which you are or have been a member. Give titles and dates of offices held. List chairs or committees in such groups you believe to be of significance. Exclude information regarding your political affiliation. I have been a member of the American Bar Association, the National Trial Association, the National Association of Criminal Defense Lawyers and the Clark County Bar Association at various times during my legal career.
24. List all courses, seminars, or institutes you have attended relating to continuing legal education during the past five years. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge? Yes. 2018 - Advising small business on

employment law, A guide to understanding mediation, A primer on technology contracts, Digital age challenges to legal ethics, Boxing and the law: protecting fighters, Complexities of context: Substance abuse and ethically challenging cases, Legal ethics real problems, Litigating a white collar case, The private judge: understanding arbitration. 2019 - Achieving real gender diversity in the legal profession, Using Clio to streamline your legal practice, Sex, drugs and rock 'n' roll, Elder law, Am I drinking too much is a rhetorical question, The winning v whining story: how to transform your client from victim, ESI basics: avoiding and obtaining discovery sanctions, Dealing with bad facts, The attorney-client privilege: work product doctrine and confidence, Preventing trusts and estates malpractice: 60 tips in 60 minutes, Tax issues in multi-state businesses, Smells like litigation: trademark and copyright lessons from education. 2021 - Housing hot topics: eviction moratorium, Remote depositions step by step tutorial using zoom platform, Navigating police and citizen encounters, Preventing substance abuse and suicide in the legal profession, Mastering jury selection, Crucial soft skills for the successful attorney, Current trends in legal technology, Probate CLE, Examining the ethics ebb and flow of E-discovery, Solo and small practice management series: formation, The consequences of bias in litigation, Trade dress: protecting the look and feel of products and packaging, Update on non-compete agreements, Speedwriting: from brain to brief in a hurry, Common issues in wrongful convictions with the innocence project, The effects of criminal convictions on military personnel, Chapter 7: the initial consult, Don't give up 5 minutes before the miracle, 2022 - Gaming law conference, Preparing a client for depositions, Examination of altered documents, Adam Walsh Act: Family based immigration petitions, Gambling: secret addictions, Cell phone forensics.

25. Do you have Professional Liability Insurance or do you work for a governmental agency? I have had PLI during the majority of my legal career, but currently do not.

### Business & Occupational Experience

26. Have you ever been engaged in any occupation, business, or profession other than a judicial officer or the practice of law? If yes, please list, including the dates of your involvement with the occupation, business, or profession. I was an adjunct Professor in the Greenspun School of Communications at UNLV from 1993-1998, where I taught Public Speaking. I was an equity owner and President of MM Lab, Inc from 2014 to 2017. This was one of the first Independent Medical Marijuana testing labs licensed by the State of Nevada. I was also the founder and President of the Nevada Cannabis Laboratory Association. I was General Counsel with Bullion Thrift, LLC, from 2017 to 2018 which was an effort to create a banking solution for those involved in the nascent marijuana industry in Nevada.
27. Do you currently serve or have you in the past served as a manager, officer, or director of any business enterprise, including a law practice? If so, please provide details as to: I am the current owner of the Law Office of James Dean Leavitt.
- a. the nature of the business - Law Office.

- b. the nature of your duties - Marketing, intake and client representation.
  - c. the extent of your involvement in the administration or management of the business - I am a sole proprietor and 100% involved in all aspects of the business.
  - d. the terms of your service - My office was founded in 1994.
  - e. the percentage of your ownership - 100%.
28. List experience as an executor, trustee, or in any other fiduciary capacity. Give name, address, position title, nature of your duties, terms of service and, if any, the percentage of your ownership. NA

### Civic Professional & Community Involvement

29. Have you ever held an elective or appointive public office in this or any other state? I was a member of the Nevada Board of Regents from 2004 to 2016. I served for 12 years which is the maximum allowable under Nevada law.

Choose an item.

Have you been a candidate for such an office? Yes

Choose an item.

If so, give details, including the offices involved, whether initially appointed or elected, and the length of service. Exclude political affiliation. I was elected to the Nevada Board of Regents in 2004 and re-elected in 2010. I ran for Las Vegas Justice of the Peace Department One in 2018 and finished second in the general election. I ran for District Court Judge in 2022 and finished second in the general election.

30. State significant activities in which you have taken part, giving dates and offices or leadership positions. As an elected member of the Nevada Board of Regents from 2004-2016, I served in numerous leadership capacities including two years as Chairman of the Board. I also served as Chairman of the Board Development Committee, the Student and Academic Affairs Committee, the Audit Committee, the Investment Committee and the Health Sciences Committee. As a five time Chairman of the Health Sciences Committee, I led the effort from 2006-2014 to create and establish the UNLV School of Medicine. This collaborative effort is considered to be one of the most significant recent achievements in southern Nevada history. I was appointed by Governor Kenny Guinn to serve on the Medical, Education, Research and Training Commission (MERT) which was an effort to understand, solve and increase academic medical care primarily in southern Nevada. I was appointed to serve on the UNLV Campus Improvement Authority Board which studied the feasibility of creating an on campus stadium for the UNLV football program. This board was subsequently replaced with the Stadium Authority Board, which entered into a partnership with the Las Vegas Raiders for UNLV to play its home football games at Allegiant Stadium. This arrangement, coupled with the new Fertitta Football Complex on campus now gives UNLV a competitive recruiting advantage,

which will hopefully lead to a winning program which and help further UNLV's academic mission.

31. Describe any courses taught at law schools or continuing education programs. Describe any lectures delivered at bar association conferences. None
32. List educational, military service, service to your country, charitable, fraternal and church activities you deem significant. Indicate leadership positions. I served a mission for my church in southern California from 1981 to 1982.
33. List honors, prizes, awards, or other forms of recognition. I was given an award by the Asian American Group for my efforts in leading the creation and establishment of the UNLV School of Medicine.
34. Have you at any time in the last 12 months belonged to, or do you currently belong to, any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, creed, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and whether you intend to continue as a member if you are selected for this vacancy. No  
Choose an item.
35. List books, articles, speeches and public statements published, or examples of opinions rendered, with citations and dates. In 2016, I published a paper for my L.L.M. in Gaming Law and Regulation. In 2022, I published the only written history of the UNLV School of Medicine, which is now included in the UNLV Special Collections section of the Lied Library.
36. During the past ten years, have you been registered to vote? Yes  
Choose an item.
- Have you voted in the general elections held in those years? Yes  
Choose an item.
37. List avocational interests and hobbies. Golf, piano, reading, medicine, politics and family.

Conduct

38. Have you read the Nevada Code of Judicial Conduct and are you able to comply if appointed?  
Choose an item. Yes

39. Have you ever been convicted of or formally found to be in violation of federal, state or local law, ordinance or regulation? Provide details of circumstances, charges, and dispositions.  
Choose an item. Yes – in 1998, I was issued a citation for misdemeanor Hit and Run and Reckless Endangerment of a Highway Worker, while vacationing in Eugene, Oregon. I was on a road with which I was unfamiliar. A flagger claimed my vehicle brushed his knee, although the Independent Medical Examination showed no bruising or injuries of any kind. My estimated speed at the time of the incident was 5 miles per hour. I pulled over to the side of the road when requested to do so by flagging officials. I pled guilty to a misdemeanor charge of Reckless Driving and was fined \$750.00

40. Have you ever been sanctioned, disciplined, reprimanded, found to have breached an ethics rule or to have acted unprofessionally by any judicial or bar association discipline commission, other professional organization or administrative body or military tribunal? If yes, explain. If the disciplinary action is confidential, please respond to the corresponding question in the confidential section.  
Choose an item. No

41. Have you ever been dropped, suspended, disqualified, expelled, dismissed from, or placed on probation at any college, university, professional school or law school for any reason including scholastic, criminal, or moral? If yes, explain.  
Choose an item. No

42. Have you ever been refused admission to or been released from any of the armed services for reasons other than honorable discharge? If yes, explain.  
Choose an item. No

43. Has a lien ever been asserted against you or any property of yours that was not discharged within 30 days? If yes, explain.  
Choose an item. No

44. Has any Bankruptcy Court in a case where you are or were the debtor, entered an order providing a creditor automatic relief from the bankruptcy stay (providing in rem relief) in any present or future bankruptcy case, related to property in which you have an interest?  
Choose an item. No

45. Are you aware of anything that may require you to recuse or disqualify yourself from hearing a case if you are appointed to serve as a member of the judiciary? If so, please describe the circumstances where you may be required to recuse or disqualify yourself. No

Other

46. If you have previously submitted a questionnaire or Application to this or any other judicial nominating commission, please provide the name of the commission, the approximate date(s) of submission, and the result. NA
47. In no more than three pages (double spaced) attached to this Application, provide a statement describing what you believe sets you apart from your peers, and explains what education, experience, personality or character traits you possess, or have acquired, that you feel qualify you as a district court judge. In so doing, address appellate, civil (including family law matters), and criminal processes (including criminal sentencing). \* See attached personal statement.
48. Detail any further information relative to your judicial candidacy that you desire to call to the attention of the members of the Commission on Judicial Selection.

Revised Nevada Code of Judicial Conduct – In the Preamble it states, “Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence”. This part of the Preamble has always resonated with me. Since my admission to the Nevada Bar in 1992, I have never had a bar complaint filed against me. As an elected member of the Nevada Board of Regents from 2004-2016, I never missed a single meeting. These two facts demonstrate exceptional integrity and competence and mean a great deal to me.

Rule 2.1 (2) states, “Although it is not a duty of judicial office unless prescribed by law, judges are encouraged to participate in activities that promote public understanding of and confidence in the justice system.” If granted the privilege of serving I plan on using my interest and skills in public speaking to participate in any and all activities that promote public understanding and confidence in the justice system. The entire legal system is enhanced when Judges engage with the communities they serve.

Rule 2.5 (B) states, “A judge shall cooperate with other judges and court officials in its administration of court business”. As a member of the Board of Regents I was unanimously elected by my colleagues to be their Chairman in both 2009 and 2010. This was the first time in years that there was not a contested election for Chair. I attribute this to all the years I spent as Board Development Chair and leading the effort to promote civility and respect amongst my colleagues. If granted the privilege to serve I plan on continuing my efforts in this regard.

Rule 2.6 (B) states, “A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute but shall not act in a manner that coerces any party into settlement.” As

someone who has spent a career successfully negotiating both civil and criminal cases, I hope to help facilitate pre-trial resolution of cases when requested and appropriate.

49. Attach a sample of no more than ten pages of your original writing in the form of a decision, “points and authorities,” or appellate brief generated within the past five years, which demonstrates your ability to write in a logical, cohesive, concise, organized, and persuasive fashion. I have not written a legal brief in the past 5 years as the majority of my practice is Gaming, since earning my L.L.M. from the William S. Boyd School of Law in 2016. I will attach a Gaming Law and Regulation paper I wrote in 2016, in lieu of thesis for my L.L.M. degree and my History of the UNLV School of Medicine, which was published earlier this year. \* See attached papers.

NEVADA JUDICIAL SELECTION COMMISSION  
DC 7 APPLICANT

JAMES DEAN LEAVITT  
PERSONAL STATEMENT

From the age of 13 to 19, I spent the majority of my time training as an athlete. School was secondary. I was the number two ranked singles player and the number one ranked doubles and mixed doubles player in Canada in the Under 19 division in the sport of badminton. After an ankle injury I decided to forgo my athletic career and serve a mission for my church thereby, postponing my education. To pay for my mission expenses I worked on a farm in southern Alberta building a storage facility for potatoes and drove a combine harvesting wheat. After serving my mission I felt like I was behind many of my peers, so I took 18-20 credits a semester to catch up and graduated with my B.A. in Speech Communication Rhetoric at the age of 23.

When my wife accepted a teaching position with the Clark County School District, I accepted a law clerk position with Galatz, Earl, Catalano & Smith. This was considered to be the preeminent personal injury and medical malpractice firm in Las Vegas. Interestingly, current Judge Tim Williams and Judge Bonnie Bulla were associates at that time. Neil Galatz was lead counsel in the PEPCON disaster litigation and there was a flurry of activity at the office. The first case I worked on was with Roy Smith and our client was legendary UNLV basketball assistant coach Tim Grgurich. This case was closely followed by the Las Vegas community and generated significant interest from the local and national media. Brad Booke, UNLV's then athletic director, had secretly videotaped the teams preseason conditioning workouts to determine if those workouts amounted to basketball practice, thereby violating the NCAA rules about when practice was allowed to start. My first three weeks were spent researching and writing a brief outlining any and all civil torts that may have been committed by Brad Booke and UNLV against our client Coach Grgurich. Two years later I was hired as an adjunct Professor at UNLV where I taught public speaking for 5 years. Several years later I would be elected to the Nevada Board of Regents and I would lead the effort as the inaugural Chairman of the Health Sciences Committee from 2006 to 2014, to create and establish the UNLV School of Medicine.

I didn't find the area of personal injury intellectually or personally fulfilling but the professionalism I observed from Neil Galatz and Roy Smith was second to none. The training and experience I received gave me a level of expertise that would serve me well later in my career. After passing the bar exam that fall, I was offered an associate position with Goodman and Chesnoff. Although most of my time was spent researching and writing, I had the privilege of watching two of the preeminent criminal defense attorneys in Las Vegas, both of whom had earned national reputations. This training and experience gave me the confidence I needed when I opened the Law Office of James Dean Leavitt in February of 1994.



From 1994 to 2016, the bulk of my practice was criminal defense along with some personal injury. I quickly developed one of the busiest and most successful criminal practices in Las Vegas. I attribute much of my success to the relationships I developed with prosecutors and judges. Although building relationships takes time, patience and effort, the dividends are large in the end. My degree in Speech Communication Rhetoric and my experiences as a missionary in southern California have allowed me to command the attention of my audience whether in the courtroom or whether giving commencement speeches at UNLV or UNR in my capacity as Chairman of the Board of Regents. President Teddy Roosevelt famously said, "Speak softly and carry a big stick" to describe his foreign policy. I have spent my entire career trying to incorporate this philosophy into my practice and personal life. During my legal career I have handled several cases that have garnered significant media attention and I have detailed those in my application. I have also been privileged to represent criminal clients in California, Florida, Hawaii, Kentucky, North Carolina, Utah and Washington.

In 2014, I became an equity owner and President of MM Lab, one of the first Independent Medical Marijuana Testing labs that was licensed by the State of Nevada. We quickly distinguished ourselves as the "science" lab as we were the only licensee that had two chemists with PhD's. I was also the founder and President of the Nevada Cannabis Laboratory Association. Because of my success in helping individuals and organizations secure various cannabis licenses, I was invited to be general counsel for Bullion Thrift, a fledgling business aimed at providing a banking solution to the nascent marijuana industry. Although that effort failed, I gained a tremendous knowledge and appreciation for an industry I knew little about.

In 2015 to 2016, I enrolled and earned my L.L.M. in Gaming Law and Regulation from the William S. Boyd School of Law. This iconic program is the only one that exists in the world and is fittingly offered by UNLV. Interestingly, I and my colleagues on the Board had approved this program the prior year. Two of my cohort colleagues, Becky Harris and Brittnie Watkins, have been appointed as Chairs of the Nevada Gaming Control Board. The following year I opened VegasJamesDean Gaming, a division of the Law Office of James Dean Leavitt.

Although I do mostly gaming law now, I stay involved in the Nevada higher education system. I am often called upon for advice and sometimes for representation. On November 10, 2022, recently hired Chief of Staff and Special Counsel to the Nevada Board of Regents, Robert Kilroy, a former Senior Deputy Attorney and decorated Navy Veteran was issued a Notice of Contract Termination after serving less than 3 months in the position. He promptly retained my services and we negotiated a confidential but widely publicized settlement on November 17, 2022. This settlement was just one day before the Board of Regents were set to deliberate and to vote at a Special Meeting as to whether to continue Mr. Kilroy's

employment. I chose to forgo a legal fee on his case because I believed so strongly that the Board was acting precipitously and unjustly in their treatment of my client and their new employee.

The application asks that we address the civil and criminal process as well sentencing.

#### CRIMINAL PROCESS

The hallmark of the American justice system is the presumption of innocence and the Constitutional requirement of individualized sentencing. I have represented over a thousand clients at sentencing hearings. Since close to 97% of cases plea bargain in state court the importance of public speaking, negotiation skills, and persuasion often make the difference between a client receiving probation or being sentenced to years in prison. My years as a missionary in East LA, Baldwin Park, Pomona, Burbank and North Hollywood exposed me to a wide variety of people, cultures and beliefs and gave me keen insight into the human condition. This experience and my training as a rhetorician and speech professor has allowed me to successfully defend people from all walks of life. I believe this experience will be invaluable to me and the folks that appear in front of me, if given the opportunity to serve as judge.

#### CIVIL PROCESS

The Nevada Rules of Civil Procedure, the Nevada Rules of Appellate Procedure, and the Nevada Electronic Filing and Conversion Rules were amended in 2019. The rules are intended to ensure just, speedy, and inexpensive resolution of every action and proceeding. I intend on following these hallmark principles if given the opportunity to serve as judge.

#### CONCLUSION

There is a Bon Jovi song called, "Who Says You Can't Go Home". But I keep coming home. Home to Nevada, home to UNLV, and home to the practice of law. Although I am a young 60 years of age, I am just beginning the ride home in chapter 3 of a life full of business and political successes and some failures. I wouldn't have it any other way.

I look forward to your due consideration and the opportunity to address each of you during the interview process.

Sincerely,

James Dean Leavitt

## GAMING LAW POLICY PAPER

James Dean Leavitt

Las Vegas is the gambling capital of the world and Nevada leads the Nation in its legal and regulatory framework for gaming law and policy. The National Collegiate Athletic Association (hereinafter NCAA) is a voluntary membership association. The University of Nevada Las Vegas (hereinafter UNLV) and the University of Nevada Reno (hereinafter UNR) are Member institutions of the NCAA. The Board of Regents of the Nevada System of Higher Education (hereinafter BOR's and NSHE) governs and sets policy for UNLV and UNR but has no policy regarding gambling by its Members.

The NCAA opposes all forms of gambling, both legal and illegal. The fear is that student-athletes are viewed as easy marks by organized crime and professional gamblers for obtaining inside information or affecting a game's outcome. Athletes and others associated with teams are increasingly being contacted by outside sources, including social media, for inside information that can be used for betting purposes. Gambling is a multi billion dollar business in Nevada. Many student athletes struggle financially and are living far away from home. Coupled with their young age they are particularly susceptible to outside influence. Fixing or throwing a game by a Nevada student-athlete would have devastating consequences to the athlete, their university and the entire gaming industry in Nevada. Rules and policies have and must be enacted that will preserve the integrity of all athletic contests.

This paper will explore the policies and procedures that have been enacted by the NCAA, UNLV, UNR, the Nevada Board of Regents (hereinafter BOR's) and the Nevada legislature as it relates to whether members of the BOR's can or should gamble or wager on NCAA athletic events. This paper will conclude with a recommendation that the BOR's enact a policy prohibiting its members from wagering on any NCAA athletic events. As part of this paper I will be introducing this proposed policy for action in front of the Nevada BOR's, at their April 24, 2015, Special Meeting.

Article 4, Section 4.02.1 of the NCAA Division 1 Manual (hereinafter Manual), October 2014 Edition, defines the NCAA:

The "Association" as used in this Manual, refers to the National Collegiate Athlete Association, a diverse, voluntary, unincorporated Association of four-year colleges and universities, conferences, affiliated association and other educational institutions.

Article 1, Section 1.2 of the Manual describes the purposes of the NCAA:

- (a) To initiate, stimulate and improve intercollegiate athletics programs for student-athletes and to promote and develop educational leadership, physical fitness, athletics excellence and athletics participation as a recreational pursuit;
- (b) To uphold the principle of institutional control of, and responsibility for, all intercollegiate sports in conformity with the constitution and bylaws of this Association;
- (c) To encourage its members to adopt eligibility rules to comply with satisfactory standards of scholarship, sportsmanship and amateurism;
- (d) To formulate, copyright and publish rules of play governing intercollegiate athletics;
- (e) To preserve intercollegiate athletics records;
- (f) To supervise the conduct of, and to establish eligibility standards for, regional and national athletics events under the auspices of this Association;
- (g) To cooperate with other amateur athletics organizations in promoting and conducting national and international athletics events;
- (h) To legislate, through bylaws or by resolutions of a Convention, upon any subject of general concern to the members related to the administration of intercollegiate athletics; and
- (i) To study in general all phase of competitive intercollegiate athletics and establish standards whereby the colleges and universities of the United States can maintain their athletics programs on a high level.

Article 1, Section 1.3 of the Manual describes the fundamental policy behind these purposes:

The competitive athletics programs of member institutions are designed to be a vital part of the educational system. A basic purpose of this association is to maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body and, by so doing, retain a clear line of demarcation between intercollegiate athletics and professional sports.

Article 1, Section 1.3.2 of the Manual describes the obligation of Member institutions:

Legislation governing the conduct of intercollegiate athletics programs of member

institutions shall apply to basic athletics issues such as admissions, financial aid, eligibility and recruiting. Member institutions shall be obligated to apply and enforce this legislation, and the infractions process of the Association shall be applied to an institution when it fails to fulfill this obligation.

Article 3, Section 3.01.3 of the Manual describes membership obligations to meet NCAA Division criteria:

Division membership criteria constitute enforceable legislation. Each member institution shall comply with all applicable criteria of its division, and an institution that fails to do so shall be subject to the infractions process and to possible reclassification.

Article 10, Section 10.02.1 of the Manual, defines Sports Wagering as follows:

Sports wagering includes placing, accepting or soliciting a wager (on a staff member's or student athlete's own behalf on or the behalf of others) of any type with any individual or organization on any intercollegiate, amateur or professional team, or contest. Examples of sports wagering include, but are not limited to, the use of a bookmaker or parlay card; Internet sports wagering; ..... in which bids are placed on teams, individual or contests; and pools or fantasy leagues in which an entry fee is required and there is an opportunity to win a prize.

Article 10, Section 10.02.2 of the Manual defines Wager as follows:

A wager is any agreement in which an individual or entity agrees to give up an item of value (e.g.: cash, shirt, dinner) in exchange for the possibility of gaining another item of value.

Article 10, Section 10.3 of the Manual describes who cannot engage in Sports Wagering Activities:

The following individuals shall not knowingly participate in sports wagering activities concerning intercollegiate, amateur or professional athletics competition:

- a) Staff members of an institution's athletics department;
- b) Non-athletics department staff members who have responsibilities within or over the athletic department (e.g., chancellor or president, faculty athletics representative, individuals to who athletics reports):
- c) Staff members of a conference office; and
- d) Student-athletes.

It is not clear whether this provision applies to members of governing boards, but it should. The athletic programs at UNLV and UNR do not directly report to the Nevada Board of Regents but do so indirectly through the presidents of each institution. Board members have frequent contact with presidents, athletic directors and coaches and are often aware of inside information that could be used for betting purposes. Using or sharing this information should be prohibited by members of the BOR's to enhance and preserve the integrity of each athletic contest.

Article 10, Section 10.4 of the Manual describes the Disciplinary Action that may be taken for violating the Sports Wagering ban:

Prospective or enrolled student-athletes found in violation of the provisions of this regulation shall be ineligible for further intercollegiate competition, subject to appeal to the Committee on Student-Athlete Reinstatement for restoration of eligibility.....Institutional Staff Members found in violation of the provisions of this regulation shall be subject to disciplinary or corrective action as set forth in Bylaw 19.9 whether such violation occurred at the certifying institution or during the individual's previous employment at another member institution.

Bylaw, Article 19, Section 19.01.1 of the Manual describes the Mission of the Infractions Program:

It is the mission of the NCAA infractions program to uphold integrity and fair play among the NCAA membership, and to prescribe appropriate and fair penalties if violations occur. One of the fundamental principles of the infractions program is to ensure that those institutions and student-athletes abiding by the NCAA constitution and bylaws are not disadvantaged by their commitment to compliance. The program is committed to the fairness of procedures and the timely resolution of infractions to compliance. The program is committed to the fairness of procedures and the timely resolution of infractions cases. The ability to investigate

allegations and penalize infractions is critical to the common interests of the Association's membership and the preservation of its enduring values.

Article 19, Section 19.2.1 describes the list of individuals that are subject to the Infractions Program:

Involved individuals are current or former institutional staff members and current or former student-athletes who have received notice of involvement in alleged violations.

Ironically and remarkably, there are no sanctions permitted by the NCAA against non-athletics department staff members, such as presidents, faculty, athletics representatives or other individuals to whom athletics reports.

Article 2, Section 2.1.1 of the Manual describes the Responsibility for Control:

It is the responsibility of each member institution to control intercollegiate athletics programs in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletic programs, including approval of the budget and audit of all expenditures.

Article 2, Section 2.1.2 of the Manual describes the Scope of Responsibility:

The institution's responsibility for the conduct of its intercollegiate athletics programs includes responsibility for the actions of its staff members and for the actions of any other individual or organization engaged in activities promoting the athletics interests of the institutions.

Article 2, Section 2.4 of the Manual describes the Principle of Sportsmanship and Ethical Conduct:

It is the responsibility of each institution to:

- a) Establish policies for sportsmanship and ethical conduct in intercollegiate athletics consistent with the educational mission and goals of the institution; and
- b) Educate, on a continuing basis, all constituencies about the policies in Constitution 2.4. (a).

UNLV and UNR are Active Members of the NCAA under Section 3.02.3.1 and must comply with all association rules under Section 3.2.1.2 of the Manual.

In the 2014–2015 UNLV Student–Handbook (hereinafter UNLV Handbook) Section X.6 ATHLETICS DEPARTMENT STAFF it states the following:

All members of the UNLV Intercollegiate Athletics Department Staff are prohibited from wagering on any collegiate and/or professional sporting event; or participating in any gambling activities that involve intercollegiate athletics through bookmakers, a parlay card, office pools, and lotteries involving college or professional games, or any other method employed by organized gambling. If caught or convicted of legal or illegal employee gambling, the Intercollegiate Athletics Department staff member may be subject to immediate termination.

This provision clearly does not apply to the BOR's.

In the 2014–015 UNR Student–Athlete Handbook (hereinafter UNR Handbook) it states the following:

Staff members of a NCAA member conference, staff members of athletic departments of a member institution and student – athletes shall not knowingly:

- a) Provide information to individuals involved in organized gambling activities concerning intercollegiate.
- b) Solicit a bet on any intercollegiate team.
- c) Accept a bet on any team representing the institution.
- d) Solicit or accept a bet on any intercollegiate competition for any item (e.g. cash, shirt, dinner) that has tangible value; or
- e) Participate in any gambling activity that involves intercollegiate athletics or professional athletics through a bookmaker, a parlay card or another method employed by organized gambling (NCAA bylaws 10.30)

This provision clearly does not apply to the BOR's.



Article 6, Section 6.1.1 of the manual describes the Presidents responsibilities for Athletic oversight:

A member institution's president or chancellor has ultimate responsibility and final authority for the conduct of the intercollegiate athletics programs and the actions of any board in control of that program. The term "president or chancellor" refers to the individual with primary executive authority from an institution and does not include as individual who has executive responsibility over a system of institutions.

Title 2, Chapter 1, Section 1.2.1 of the NSHE Handbook states in pertinent part:

The University of Nevada was established by the Constitution of the State of Nevada, which provides at Article 11, Section 4 that the University shall "... be controlled by a Board of Regents whose duties shall be described by law."

Title 4, Chapter 24, Section 1.1 of the NSHE Handbook describes the Board of Regents oversight:

- a. The Board of Regents carries out its responsibility for oversight of all NSHE Intercollegiate Athletics through the institutional presidents and through periodic reports as specified by the Board.

Title 4, Chapter 24, Section 1.2 of the NSHE Handbook describes the Board of Regent's Institutional Control:

The Board of Regents charges the institution and the president of each institution with the responsibility for the conduct and control of intercollegiate programs and activities. The president is accountable for exercising ultimate responsibility for the conduct and control of the Athletics Department including all personnel decisions (hiring, firing and compensation), corporate partnerships, television contracts, booster clubs, and affiliated organizations, including its private fundraising efforts.

Title 4, Chapter 24, Section 1.2.b. of the NSHE Handbook describes the required institutional control:

Each institution and its employees shall comply with all applicable rules and regulations of the NCAA, the NJCAA and other organizations and athletics conferences in which each is a member. Each institution shall regularly engage in self-study, which monitors Intercollegiate Athletics programs to assure compliance with such rules. Each institution shall identify, and report to the appropriate organization, instances in which compliance has not been achieved. Each institution will cooperate fully with the NCAA, the NJCAA and athletic conferences, as applicable in investigating instances of noncompliance and will promptly take appropriate disciplinary and remedial action.

Title 4, Chapter 24, Section 1.2.d. of the NSHE Handbook describes institutional compliance:

Compliance programs will be enforced by a compliance officer who shall report to, and serve within the office of the president of each institution. In carrying out these responsibilities, the president shall also be assisted by the Intercollegiate Athletic Board. Institutions are encouraged to impose more stringent policies and rules when, in the judgment of the institution, such policies and rules are necessary.

Title 4, Chapter 24, Section 1.4 of the NSHE Handbook states the required review of Intercollegiate Programs:

The institution shall be responsible for reviewing and evaluating, on a regular basis approved by the Board of Regents, financial, academic, and managerial aspects of the athletics program. All expenditures for or on behalf of an institution that is a Division I member of the NCAA, including expenditures made by any outside organization, agency, or group, shall be subject to an annual financial audit, in addition to regular audits, in a form approved by the NCAA, conducted for the institution by a qualified auditor who is not a staff member of the institution and who is selected either by the institution's president or by an institutional administrator from outside the Department of Intercollegiate Athletics designed

by the President. Corresponding provisions shall apply to an NJCAA institution member.

Title 4, Chapter 24, Section 1.9.a. of the NSHE Handbook describes the required Board of Regent Reports:

At the first regular Board meeting after the beginning of each new fiscal year, the Board shall conduct a complete review of the athletic budget, including state and non-state sources, of each institution participating in intercollegiate athletics, including the amount of institutional support for each revenue-generating sport. The Board shall also review each such institution's athletic mission statement, five-year plan and the annual report of any assistant coaches hired pursuant to this Section. The Board shall also review conference, NCAA and NJCAA rules.

Title 2, Chapter 1, Section 1.3.3 of the NSHE Handbook describes how the NSHE code is amended:

Any regent, chancellor, president of a System institution or senate may propose amendments to the Nevada System of Higher Education Code by filing proposed amendment with the Secretary of the Board of Regents and requesting consideration by the Board. At least 30 calendar days before consideration by the Board, proposed amendments shall be circulated to the chancellor, each System institution president and each senate for review and comment. The Board shall take final action after giving due consideration to the opinions, if any, of the senate representatives and officers of the System.

Title 1, Section 3 of the NSHE Handbook describes the statutory and policy prohibitions for members of the BOR's.

1. Regents are subject to the code of ethical standards of the State of Nevada (Nevada Revised Statutes (NRS) 281A.400 – 281A.480) promulgated to govern the conduct of public officers and employees. These sections of the NRS include, but are not limited to, provisions related to acceptance of gifts and services (NRS 281A.400), voting (NRS 281A.420), bidding on contracts (NRS 281A.430), and honorariums (NRS 281A.510). Regents are also subject to certain additional conflict of interest provisions contained in other sections of the *Nevada Revised Statutes* and in this *Handbook*.

- a) *Nevada Revised Statutes* 396.122 prohibits a member of the Board of Regents from being interested, directly or indirectly, as principal, partner, agent or otherwise, in any contract or expenditure created by the Board of Regents, or in the profits or results thereof.
- b) Board policy related to Regents' conflicts of interest concerning the purchase of supplies, equipment, services, and construction under any contract or purchase order is stated in Title 4, Chapter 10, Section 1(7).
- c) Board policy related to Regents' conflicts of interest concerning management of investment accounts is stated in Title 4, Chapter 10.
- d) Board policy related to Regents' conflicts of interest concerning nepotism is stated in Title 4, Chapter 3, Section 7.

2. In order to demonstrate compliance with statutory provisions contained in the *Nevada Revised Statutes* and with Board policies, members of the Board of Regents shall complete an annual disclosure statement regarding contractual, employment, family, financial, and outside activities that might create a conflict of interest. The annual disclosure statements will be filed with the Secretary to the Board and are subject to state records retention policies.

- a) In accordance with the provisions of NRS 281A.400(10), a Regent shall not seek other employment or contracts through the use of his or her official position within the NSHE.
- b) In light of the provisions of the Ethical Code of Conduct for Public officers set forth above, and in particular, to enhance public trust in the office of Regents, a Regent may not apply for or accept a new or different position, contract or business relationship with an institution, unit or foundation of the NSHE for a period of 1 year after the termination of the Regent's service on the Board.

Title 1, Section 2 of the NSHE Handbook describes the Ethical Code of Conduct for members of the BOR's.

1. A member of the NSHE Board of Regents should honor the high responsibility that this elected office demands by:

- a) Thinking always in terms of the improvement of educational opportunities of Nevada's citizens first.

- b) Understanding that the primary role of a Board member is policymaking, not administration, and distinguishing intelligently between these two functions.
- c) Endeavoring to insure that maximum resources are provided for the proper functioning of the NSHE and that these resources are properly used.
- d) Representing the entire NSHE at all times.
- e) Becoming well informed concerning the duties of Board members and the proper functions of the NSHE.
- f) Recognizing the responsibility as a state official to seek the improvement of education throughout the state.
- g) Endeavoring to be readily available to fellow Board members, the chancellor, the presidents, faculty, staff, students, and the public for providing and obtaining information.
- h) Treating all employees and students of the NSHE with respect, cognizant of the power inherent in the office of Regent, and never using that power to attempt to intimidate or influence employees or students to gain unwarranted privileges, advantages, or preferences for the Regent or for his or her family members, other individuals, or business entities.
- i) Upholding public trust in the office of Regent.

Establishing a policy that subjects members of the BOR's to the same rules and policies that apply to presidents, staff members and student-athletes shows respect and leadership. It also provides consistency and reinforces the boards commitment to traditional notions of fair play and justice.

2. A member of the NSHE Board of Regents should respect relationships with other members of the Board by:

- a) Realizing that authority rests with the Board only in official meetings, that the individual member has no legal status to bind the Board outside of such meetings except as may be expressly authorized by the Board.
- b) Recognizing the integrity of their predecessors and their current associates on the Board and the merit of their work.
- c) Making decisions only after all facts bearing on a question have been presented and discussed.
- d) Encouraging the free expression of opinions by all members, respecting the opinion of others, and conforming to the principle of "majority rule."
- e) Not requesting other members of the Board to endorse a Board member or otherwise participate in the Board member's reelection campaign.

f) Preparing, when serving as Board Chair or Committee Chair, in cooperation and in collaboration with the chancellor, the agendas of all meetings of the Board of Regents and its committees.

3. Members of the NSHE Board of Regents should maintain desirable relations with the chancellor and the chancellor's staff by:

a) When a vacancy exists, striving to procure the best professional leader available as the chief executive officer of the NSHE.

b) Giving the chancellor clear and full administrative authority for properly discharging the professional duties of the System office and by holding the chancellor accountable for acceptable results.

c. Acting only upon recommendations of the chancellor, and the chancellor's staff, and in conformance with applicable statutes and policies in all matters that come before the Board.

d) Going directly to the chancellor if a problem arises concerning the chancellor's office or staff. If a direct meeting does not solve the problem, only then should the matter be taken to the Board of Regents as a whole.

e) Having the chancellor, or the chancellor's designee, present at all meetings of the Board of Regents and other meetings involving decisions affecting the conduct of the entire System.

f) Referring all constituent's complaints initially to the chancellor or to the presidents of the member institutions, where applicable.

g) Endeavoring to maintain an environment in which the chancellor and the chancellor's staff may discharge their duties throughout the System and the state on a thoroughly professional basis.

h) Not requesting the chancellor or members of the chancellor's staff to endorse a Board member or to otherwise participate in the Board member's reelection campaign or campaign for another elective office.

i) Preparing, when serving as Board Chair or Committee Chair, in cooperation and in collaboration with the chancellor, the agendas of all meetings of the Board of Regents and its committees.

4. Members of the NSHE Board of Regents should meet responsibilities to the electorate by:

- a) Attempting to appraise fairly both the present and the future higher education needs of their communities.
- b) Regarding as a major responsibility of the Regents the interpretation of the aims and methods of the people of Nevada pertaining to higher education opportunities.
- c) Insisting that all NSHE business be conducted in an open, ethical, and above-board basis.
- d) Vigorously seeking adequate funding (financial support) for all units of the NSHE.
- e) Refusing to use a position on the Board of Regents, in any way whatsoever, for political or personal gain or aggrandizement.
- f) Holding confidential all matters pertaining to personnel, which, if disclosed, would needlessly injure individuals or educational programs.
- g) Winning the public's confidence that all is being done within the NSHE in the best interests of students.

I am hereby proposing that the BOR's add the following policy in Title 4, Chapter 1, Section 2, new Subsection 5:

5. Regent Gambling Policy: \*

- a) A member of the NSHE Board of Regents should not wager on an intercollegiate or amateur athletic contest or participate in sports wagering involving an intercollegiate or amateur athletic contest.
- b) As used in this subsection:
  - 1) "Wager" means to enter any agreement in which an individual or entity agrees to risk giving up an item of value (for example, cash, a shirt or dinner) in exchange for the possibility of gaining another item of value.

\* See attached Agenda Item, Briefing Paper and Policy Proposal.

- 2) "Sports wagering" means placing, accepting or soliciting a wager of any type with any individual or organization on any intercollegiate or amateur athletic contest. Examples of sports wagering include, but are not limited to, the use of a sports book or parlay card or internet wagering on sports in which wagers are placed on an intercollegiate or amateur teams, individual or contest, and includes pools or fantasy leagues involving an intercollegiate or amateur team in which an entry fee is required and there is an opportunity to win a prize.

This policy places restrictions on the members of the Board of Regents. It does not include the Chancellor or members of his staff. The Board may choose to accept, reject or amend my policy proposal. While the presidents report directly to the Chancellor, the Chancellor rarely has contact with athletic directors, coaches or student-athletes. To include the Chancellor and his staff in this policy seems unnecessary and overbroad.

## CONCLUSION

The Board of Regents has a comprehensive Ethical Code of Conduct to guide Regents in honoring the high responsibility their elected office demands. A vital component in maintaining public trust and confidence in the office of Regent is maintaining the integrity of all programs subject to oversight by the Board, whether they are educational in nature or involve activities such as athletics. UNLV and UNR are member institutions of the NCAA. As such, they are subject to governance by the Nevada Board of Regents. The NCAA has prohibitions on sports wagering which include provisions applicable to non-athletic department individuals who have responsibilities over athletic programs. But these provisions do not clearly apply to the BOR's. Member institutions must ensure their athletic programs are in compliance with the rules and regulations of the Association.

The Board of Regents Handbook vests oversight of all NSHE intercollegiate athletics in the Board, which in turn carries out those responsibilities through the institutional presidents and through periodic reports as specified by the Board.



The institutions have adopted provisions in their student handbooks prohibiting staff members and student athletes from participating in gambling activities related to intercollegiate activities. However, there are no provisions in the governing documents of the Board, which expressly address the issue of gambling on such activities by Regents. Athletics is a high profile aspect of educational institutions and conduct by board members reflect positively or negatively on the institutions they represent and serve. To set an example for staff and student athletes as well as to ensure strict compliance with the overall intent of the NCAA rules, the Board should adopt this specific policy in regard to its members and wagering on intercollegiate athletic contests.

11. JAMES E. AND BEVERLY ROGERS  
FOUNDATION

FOR POSSIBLE ACTION

Significant assets of James E. and Beverly Rogers have been structured in Foundations to support philanthropic efforts. One such Foundation is the James E. and Beverly Rogers Foundation, which was set up to specifically support the Black Mountain Institute program at UNLV, along with the University of Arizona James E. Rogers College of Law, among other priorities. Per section 6.1 of the Foundation document, three of the Trustees of this new Foundation will be UNLV Trustees, whose appointment must be confirmed by a majority vote of the Board of Regents, and whose retention, or removal and replacement, shall be determined by a majority vote of the Board of Regents. Per the wishes and intent of James E. and Beverly Rogers, the Board will consider for approval the confirmation of the initial appointment of Marcia Turner, Bart Patterson and Gerry Bomotti as UNLV Trustees of the James E. and Beverly Rogers Foundation. [\(Ref. BOR-11a\)](#) and [\(Ref. BOR-11b\)](#)

*ESTIMATED TIME: 5 mins.*

12. *HANDBOOK* REVISION,  
REGENT POLICY ON GAMING

FOR POSSIBLE ACTION

The Board of Regents *Handbook* vests oversight of all NSHE intercollegiate athletics in the Board, which in turn carries out those responsibilities through the institutional presidents and through periodic reports as specified by the Board (*Title 4, Chapter 24, Section 1*). The institutions have adopted provisions in their student handbooks prohibiting staff members and student athletes from participating in gambling activities related to intercollegiate activities. However, there are no provisions in the governing documents of the Board which expressly address the issue of gambling on such activities by Regents. The Board will consider adopting a specific policy in regard to its members and wagering on intercollegiate athletic contests. [\(Ref. BOR-12\)](#)

*ESTIMATED TIME: 10 mins.*

**BOARD OF REGENTS  
BRIEFING PAPER**

1. Agenda Item Title: *Handbook* Revision, Ethical Code of Conduct for  
Regents Policy on Gaming

Meeting Date: April 24, 2015

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

The Board of Regents has a comprehensive Ethical Code of Conduct to guide Regents in honoring the high responsibility this elected office demands. A vital component in maintaining public trust and confidence in the office of Regent is maintaining the integrity of all programs subject to oversight by the Board, whether they are educational in nature or involve activities such as athletics. As part of its intercollegiate athletic programs, NSHE is a member of the National Collegiate Athletic Association (NCAA). The NCAA has prohibitions on sports wagering which include provisions applicable to non-athletic department individuals who have responsibilities over athletic programs. Member institutions must ensure their athletic programs are in compliance with the rules and regulations of the Association.

The Board of Regents *Handbook* vests oversight of all NSHE intercollegiate athletics in the Board, which in turn carries out those responsibilities through the institutional presidents and through periodic reports as specified by the Board (*Title 4, Chapter 24, Section 1*). The institutions have adopted provisions in their student handbooks prohibiting staff members and student athletes from participating in gambling activities related to intercollegiate activities. However, there are no provisions in the governing documents of the Board which expressly address the issue of gambling on such activities by Regents. To set an example for staff and student athletes as well as to ensure strict compliance with the overall intent of the NCAA rules, the Board may wish to consider adopting a specific policy in regard to its members and wagering on intercollegiate athletic contests.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Adopt an express policy prohibiting Regents from gambling on intercollegiate athletic contests

4. IMPETUS (WHY NOW?):

Athletics is a high profile aspect of educational institutions and its conduct can reflect positively or negatively on the entire spectrum of institutional activities. The Board should underscore its commitment to integrity in all programs associated with NSHE to reinforce the importance of abiding by applicable rules.

5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The Board should lead by example in all areas
- NCAA rules require compliance with gambling prohibitions applicable to all individuals responsible for institutional intercollegiate activities
- Currently there is no specific policy applicable to Regents regarding gambling on intercollegiate athletic contests

6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

The institutions already have suitable provisions applicable to gambling activity

7. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

Do not adopt a specific prohibition applicable to Regents respecting gambling on intercollegiate athletic contests.

8. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # 4 Chapter # 24 Section # 1
- Amends Current Board Policy: Title # 4 Chapter # 1 Section # 2
- Amends Current Procedures & Guidelines Manual: Chapter # \_\_\_\_\_ Section # \_\_\_\_\_

Revised: June 2010

<input type="checkbox"/> Other: _____
<input type="checkbox"/> Fiscal Impact:    Yes _____    No _____
Explain: _____

POLICY PROPOSAL - *HANDBOOK*  
TITLE 4, CHAPTER 1, SECTION 2, *new* SUBSECTION 5  
Ethical Code of Conduct for Regents  
Additions appear in *boldface italics*, deletions are [~~stricken~~ and bracketed]

Title 4, Chapter 1, Section 2, new subsection 5:

...

*5. A member of the Board of Regents should uphold the integrity of intercollegiate athletic competition by:*

*a) Adhering to the Regent Policy on Gaming which provides that a member of the NSHE Board of Regents should not wager on an intercollegiate athletic contest or participate in sports wagering involving an intercollegiate athletic contest.*

*b) As used in this subsection:*

*(1) "Wager" means to enter any agreement in which an individual or entity agrees to risk giving up an item of value (for example, cash, a shirt or dinner) in exchange for the possibility of gaining another item of value.*

*(2) "Sports wagering" means placing, accepting or soliciting a wager of any type with any individual or organization on any intercollegiate athletic contest. Examples of sports wagering include, but are not limited to, the use of a sportsbook or parlay card or internet wagering on sports in which wagers are placed on an intercollegiate team, individual or contest, and includes pools or fantasy leagues involving an intercollegiate team in which an entry fee is required and there is an opportunity to win a prize.*

**MY EFFORTS TO HELP CREATE THE UNLV  
SCHOOL OF MEDICINE  
THE EARLY BEGINNINGS  
2004 - 2005**

***CHANCELLOR JAMES E. ROGERS AND REGENT JAMES DEAN LEAVITT***

I was elected to the Nevada Board of Regents in November 2004 and took office in January 2005. Jim Rogers was the interim Chancellor of the Nevada System of Higher Education, (NSHE). I quickly discovered that Jim was passionate about developing an academic health science center in Las Vegas to help meet the unmet health care needs in southern Nevada. In late 2005, after discussions with Chancellor Rogers and board chairman, Bret Whipple, I suggested the creation of an ad hoc Health Sciences Center Committee (HSCC) and an Advisory Committee (AC) to create a structure that would allow Jim's vision to blossom. However, it was critical that the Board also buy into the vision.

***THE TWENTY YEAR NO UNLV MEDICAL SCHOOL POLICY***

In February 2005, the Nevada Board of Regents (BOR) approved Chancellor Roger's recommendation for a policy that limited professional degree programs in the Nevada System of Higher Education (NSHE) to a single school of medicine, dentistry, and law for 20 years. In essence, this policy meant that the University of Nevada, Las Vegas (UNLV) was prohibited from planning or developing their own medical school for the next 20 years. This proposed policy reflected the Chancellor's commitment to a deal he was rumored to have made with highly influential majority leader, State Senator Bill Raggio. Rumor has it that in exchange for the Senator's efforts to secure more funding from the legislature for southern Nevada institutions and the health sciences initiative, the Chancellor would not attempt to relocate the existing University of Nevada School of Medicine (UNSOM), from Reno to Las Vegas.

***CREATION OF THE AD HOC HEALTH SCIENCES CENTER COMMITTEE***

In May 2006, Chairman Whipple appointed myself as Chairman of the ad hoc HSCC and appointed Ron Kline, MD., as Chairman of the Advisory Committee. Dr. Kline was an out-spoken community advocate that shared our passion.

The original members of the ad hoc HSCC, besides myself, were Regents: Stavros S. Anthony, Dorothy S. Gallagher, Linda C. Howard, and Michael B. Wixom. The original members of the Advisory Committee were: Assemblyman Morse Arberry, Jr., Ms. Bobbette Bond, Mr. Steve Cohen, Mark Doubrava, MD., Mitchell Forman, DO., Ms. Betsy Fretwell, Mr. Thomas E. Gallagher, Ms. Betsy Gilbertson, Steven Glyman, MD., Wayne Hardwick, MD., Don Havins, MD., JD., State Senator Joe Heck, D.O., Gerald Higgins, MD., Ikram Khan, MD., Zaven S. Khachaturian, PhD, James Lenhart, MD, State Senator Bernice Martin-Matthews, John McDonald, MD., William W. Orrison, Jr., MD., Clark County Commissioner Rory Reid, Clark County Manager, Thom Reilly, PhD., Richard Seher, MD., Ms.

Lisa Serwin, and Mr. Bill Welch. At this time, the only NSHE staff support was Executive Vice Chancellor and General Counsel Daniel J. Klaich, and Ms. Marcia Turner.

On October 10, 2007, the ad hoc HSCC and AC was disbanded and restructured when the Board of Regents voted to make this a permanent standing committee of the Board and also changed the name to the Health Sciences System Committee (HSSC). I remained as chairman of this committee.

### ***OTHER RELATED MEDICAL INITIATIVES***

In addition to the creation of the HSSC, there were several other initiatives underway to improve medical care throughout Nevada. The Nevada Cancer Institute, led by Jim and Heather Murren, was founded in 2002 and opened its doors in 2005. It was designated as the official cancer institute by the State of Nevada, from 2003–2013. In 2006, Governor Kenny Guinn created the Governor’s Commission on Medical Education, Research, and Training, which was chaired by community leader Mr. Donald D. Snyder. I was appointed by the Governor to serve on this committee. There was also an Interim Legislative Committee on Healthcare, which was studying related issues. The Lou Ruvo Center for Brain Health, led by Larry and Camille Ruvo, was in the planning stages, with construction beginning in 2007, and the center opening in 2010. At this time, visionary Mayor Oscar B. Goodman and the Las Vegas City Council set aside eight acres in Symphony Park for the development of an academic medical center. In northern Nevada, the Whittemore Chronic Fatigue Center (now called the Whittemore Peterson Institute for Neuro-immune Disease) was being developed and led by Harvey and Annette Whittemore, who would later partner with the UNSOM.

### ***THOM REILLY AND DR. MAURICIO TREVISAN 2006 - 2009***

In July 2006, Thom Reilly, PhD., was hired as Executive Vice Chancellor and Chief Operating Officer of the NSHE Health Sciences System (HSS). After less than two months, Dr. Reilly resigned, and Dr. Mauricio Trevisan was hired on August 16, 2007.

Dr. Trevisan was hired by Chancellor Rogers, and it was his responsibility to craft and execute the BOR’s vision. The 2007 to 2009 years consisted mostly of a statewide listening tour by Dr. Trevisan as he and Greg Hart of Larson Allen consulted on how to best accomplish the Chancellor’s and Regent’s vision. Fundraising efforts had limited success outside of the Andre Agassi event and the generous matching gift from the Lincy Foundation. Nevada was entering the recession, and Chancellor Roger’s dream had yet to catch fire with the Board of Regents or the community at large.

### ***CHAIRMAN JAMES DEAN LEAVITT AND REGENT MARK DOUBRAVA, M.D. 2009 - 2011***

I was elected by my colleagues as Chairman of the Board of Regents on July 1, 2009, and Regent Mark Doubrava MD., was elected to the Board of Regents in 2010. Chancellor Rogers last day

as Chancellor was June 30, 2009, with Daniel J. Klaich replacing him. I appointed Regent Dorothy Gallagher to chair the HSSC during these two years. Having a northern Regent in charge helped maintain the support I would need from the full board in the near future.

These two years were significant in three respects. First, the State of Nevada entered its worst recession since the Great Depression of 1929. The entire higher education budget of 2009-2011 was slashed by incoming Governor Sandoval. There was no new money for higher education and for the development of any health science initiatives. The Board was cutting and eliminating programs and even discussing the possible closure of campuses and institutions. These were dark times in higher education for faculty, staff, and students.

Second, could I as Chairman of the Board along with Chancellor Klaich, continue the vision and enthusiasm of Chancellor Rogers for the development of an academic medical center and health science system? Considerable efforts were made these two years to partner with University Medical Center (UMC) and to create a separate UMC Hospital Advisory Board (HAB). John F. O'Reilly, Commissioners Weekly, Sisolak, and Giunchigliani all provided strong support in accomplishing this critical goal.

Third, the addition of noted Ophthalmologist Dr. Doubrava to the Board was instrumental. Dr. Doubrava had served as an original advisory committee member of the ad hoc HSCC that I chaired in 2006, and was intimately familiar with many of the issues involved in starting a medical school. We had a meaningful pre-existing relationship, and he and I worked closely together in leading the effort to establish the UNLV School of Medicine. He was a graduate of the University of Nevada School of Medicine (UNSOM), he was a native Las Vegas, his father was a well-known physician in the community, and Dr. Doubrava was deeply involved in the Las Vegas medical community.

### ***THE DEPARTURE OF DR. TREVISAN 2011 - 2013***

With the departure of Dr. Trevisan, Chancellor Klaich recommended the creation of a Health Sciences System (HSS) Council, moving the NSHE from a managing to a coordinating role. Was this philosophical decision the beginning of the end of the HSS, or a natural evolution of the HSS initiative/experiment? Marcia Turner, PhD., was promoted to Executive Vice-Chancellor of the Health Sciences System and would assume many of his responsibilities, but direct control was shifted from the system to the UNR and UNLV campuses. Ms. Turner was the designated staff support to the HSSC and was responsible for implementing the Regents directions and priorities. She reported directly to Chancellor Klaich and worked closely with me and the HSSC.

### ***A FLICKERING LIGHT - THE LINCY INSTITUTE***

In May 2013, The Lincy Institute commissioned Tripp Umbach, a medical consulting firm to prepare an economic impact report to show the value of a new, four-year allopathic medical school in Las Vegas. Key findings, released and presented at UNLV in October 2013, were. "That a full-scale



four-year independent medical school in Las Vegas would have a substantially higher economic impact than a regional campus of the UNSOM. The average annual economic impact of an additional state-supported medical school in the U.S., shows that having more than one publically supported medical school equals \$882 million. This is more than three times the average of a four-year regional campus of an established medical school (\$245 million). Tripp Umbach, estimated that a new four-year medical school developed in Las Vegas as a result of a joint venture between UNSOM and a new school developed in Las Vegas between UNSOM and UNLV would have a total annual economic impact of \$1.2 billion at maturity (2030).”

An economic case was now being made for a new medical school at UNLV. Robert E. Lang, PhD., was the Executive Director of the Lincy Institute and a nationally recognized authority on urban growth, economic development, and population dynamics. His leadership and expertise was instrumental in helping make a compelling argument for a UNLV School of Medicine to a skeptical legislature and public.

*June 2011*

Dr. Geddes was the new Chairman of the Board, and I was once again appointed to be the Chairman of the HSSC. There was always tension because the NSHE already had a medical school at UNR with a substantial presence in Las Vegas. How would the BOR’s react to a new UNLV School of Medicine and what would that mean to the future of the UNR School of Medicine? Could they co-exist in southern Nevada or would they leave and never return?

***REGENT MARK DOUBRAVA, M.D.***

*June 2013*

The first informational discussion regarding a potential UNLV School of Medicine was in June 2013. Dr. Doubrava was now Chair of the Health Sciences Committee, and I was his Vice-Chair. Several Regents expressed skepticism about UNLV starting its own medical school, citing the cost and how it would impact the UNSOM. Nonetheless, we were actually discussing the issue. The spark generated by this discussion ignited a blaze that would soon capture the imagination of Southern Nevada leaders. Nevada was starting to climb out of the recession.

***ELKO, NEVADA***

***September 2013***

The next discussion surrounding these issues was in Elko, Nevada where Dean Tom Schwenk of the UNSOM presented his vision statement for Public Medical Education in Nevada. I was now Chair again of the HSSC, and Regent Doubrava was my Vice-Chairman. Dean Schwenk opined that the ideal governance structure and organizational structure would only be successful if there was a clear resolution of the north-south tensions surrounding the UNSOM that had plagued the school and significantly detracted from its success since its creation. He added that whatever vision is chosen will require a unified commitment and support from the governor, the state legislature, the Board of

Regents, and local political leaders and donors. Discussions at this time involved the development of a branch campus at UNLV, rather than a full four year independent school of their own.

### ***SOMETHING MAGICAL WAS HAPPENING***

At this same meeting in Elko, I drafted the first action item regarding public medical expansion (PME) in northern, rural, and southern Nevada. This was historic, as the Regents were not just discussing PME expansion but acting on it. Powerful forces were converging all at once. Momentum was building amongst the Regents, the state was climbing out of the recession, UNLV was energized, and southern Nevada community members and elected officials were rallying around this project. The Board was also getting strong support from Chancellor Klaich and from current Board Chairman Kevin J. Page, as well as the other Regents who were serving on the HSSC. The relationships I had developed with my colleagues over many years were bearing fruit.

### ***CHAIRMAN PAGE, CHANCELLOR KLAICH LVRJ***

The meeting with the Las Vegas Review (LVRJ) editorial board was a pivotal moment. Chairman Page, Vice-Chairman Trachok, and Chancellor Klaich made a compelling case for the establishment and creation of an independent UNLV medical school. Once the LVRJ was on board they helped build community support, excitement, and momentum for the project.

In November 2013, the UNSOM and UNLV entered into a Memorandum of Understanding (MOU) that provided a framework for the expansion and enhancement of PME in Nevada. Specific highlights from the MOU included directions from the Board of Regents to develop detailed plans for a full-scale, four-year allopathic medical school campus in Las Vegas, along with the continued development of a full-scale four-year campus in Reno under the continuing accreditation of the UNSOM. This historic document cemented and outlined the BOR's commitment to creating an independent public medical school at UNLV.

### ***PRESIDENT NEAL J. SMATRESK - UNLV PRESIDENT***

President Smatresk was a huge supporter of the development of the UNLV School of Medicine. Even though UNLV was prohibited from developing the school as a result of the 2005 policy prohibition, he and his cabinet were focused on developing the Top Tier Initiative and the most important part of the initiative was the development of an Academic Health Center. The center would include a fully accredited medical school that is integrated with the other health science units.

### ***RECISSION OF THE TWENTY YEAR NO UNLV SCHOOL OF MEDICINE POLICY***

In December 2013, the BOR's rescinded the 2005 policy prohibiting the creation of a UNLV School of Medicine. This was the last procedural barrier that existed to the development of the school. The BOR's could now precede full bore and we would do just that. Normally, academic programs are driven by the university and normally go through the rigorous and cumbersome academic affairs

process. This initiative was unique because of the 2005 ban. This was a Regent driven project which specifically directed UNLV to create their own medical school. Of course, UNLV was a willing and eager partner.

### ***CHANCELLOR KLAICH AND THE STATEWIDE STEERING COMMITTEE***

A Statewide Steering Committee was created in January 2014 to serve as the Coordinating Council for the statewide business plan for expanding (PME) at both the undergraduate and graduate levels. The Committee was created to serve as a collaborative vehicle for data collection, market analysis, analysis of best practices, and strategic directions.

The 2014 Steering Committee consisted of the following committee members: Dan Klaich, Chancellor, Marc Johnson, President of UNR, Kevin Carman, Executive Vice President and Provost of UNR, Thomas Schwenk, Dean and Vice President for Health Affairs at UNSOM, Donald D. Snyder, President of UNLV, John White, Executive Vice President and Provost of UNLV, Barbara Atkinson, Planning Dean at UNLV, Phil Satre, statewide business leader, and Michael Yackira, statewide business leader.

The role of the Statewide Steering Committee was to provide a decision-making framework that was efficient to govern the statewide business planning process for expanding public medical education in a collaborative manner. The Steering Committee made necessary recommendations to the Board of Regents on matters of planning, structure, curriculum, and budget.

The Steering Committee was ably led by Chancellor Klaich and brought all the key players to the table at the same time.

### ***UNLV MEDICAL SCHOOL***

The Case Statement for PME was presented to the Board of Regents on May 15, 2014. Specific highlights from the Case Statement included the dire need for public medical education expansion, as well as graduate medical education, physician recruitment, and retention efforts. This document was endorsed by the full Board of Regents and was successfully used in our subsequent legislative efforts to secure the necessary funding for this ambitious project.

### ***DONALD D. SNYDER – NEW PRESIDENT OF UNLV February 2014***

Donald D. Snyder was the new President of UNLV. This change in Presidents was particularly fortuitous to the BOR's as President Snyder was the former Chairman of the Governor's Medical, Education, Research and Training Commission. His medical background, his relationships throughout the state, and knowledge of the community would prove invaluable. Significantly, President Snyder and Provost John White hired Barbara Atkinson to be the Planning Dean of the proposed UNLV School of Medicine. After completing his interim presidency, Mr. Snyder worked closely with new

UNLV President, Len D. Jessup, in successfully lobbying the legislature to fund the UNLV School of Medicine.

***DEAN BARBARA ATKINSON***  
***May 2014***

Dr. Atkinson was appointed planning Dean of the UNLV School of Medicine in May 2014. During this time, she worked tirelessly to create an innovative vision and education program for the school, generated strong regional and legislative support, hired a core team of academic faculty and staff, and assembled a Community Advisory Board (now called the Community Engagement Board) to align regional needs with the school's mission. Before arriving at UNLV, Dr. Atkinson was the emeritus vice-chancellor and a professor at the University of Kansas School of Medicine. Her significant efforts were directly responsible for the success of this project.

***FOUNDING OF THE UNLV SCHOOL OF MEDICINE***  
***August 22, 2014***

The UNLV School of Medicine was officially established on August 22, 2014, when the Board of Regents approved funding for the medical school's start-up costs. The budget was submitted to Governor Brian Sandoval and the Nevada Legislature where it was subsequently approved. On June 11, 2015, Governor Sandoval signed Senate Bill 514 into law at UNLV.

***UNLV PRESIDENT LEN D. JESSUP***  
***January 2015***

President Jessup was appointed by the BOR's in January 2015 as the 11<sup>th</sup> President of UNLV. One month later, he would be lobbying the legislature to fully fund the UNLV School of Medicine. He worked closely with former President Snyder, Chair Page, Vice-Chair Trachok, and Chancellor Klaich.

***GOVERNOR SANDOVAL***  
***2015***

NSHE legislative efforts were led by Board Chairman Kevin J. Page, Vice-Chairman Rick Trachok, Chancellor Dan Klaich, UNLV President Len D. Jessup, and Dean Barbara Atkinson. A critical meeting occurred with Chair Page, Vice-Chair Trachok, Chancellor Klaich, and Governor Sandoval. This meeting resulted in the Governor including funding for the UNLV School of Medicine in his upcoming budget.

## ***LEGISLATIVE LEADERSHIP***

Legislative leaders who led the effort to secure approval and funding included Senate Majority Leader Michael Roberson, Senate Minority Leader Aaron D. Ford, Speaker John Hambrick, Assembly Majority Leader D. Paul Andersen and Assistant Assembly Minority Leader Ira Hansen. The efforts by these leaders resulted in developing the approval and mechanism for funding the school. The UNLV School of Medicine exists because of their dedication to this legacy project.

## ***THE COMMUNITY ENGAGEMENT BOARD***

The Community Engagement Board provided guidance and direction to the UNLV School of Medicine. They played a vital role in the development of the school and many travelled to Carson City and met with the Governor and legislative leadership to make the case for the funding and creation of the UNLV Medical School. Chair of the Committee was Ikram Khan, MD., Vice-Chair K. Warren Volker MD., Tony Alamo, MD., Amir Bacchus, MD., Bobbette Bond, Joan Brookhyser, MD., Michael Brown, Jeffrey Cummings, MD., Mark Doubrava, MD., Michael Edwards, MD., William Evans, MD., Mark Fine, Yolanda Flores, MD., Renee Franklin, Doug Geinzer, Constantine George, MD., Mayor Carolyn Goodman, Shelley Gitomer, Mayor Andy Hafen, Harry Haggerty, Brian Iriye, MD., Florence Jameson, MD., Gard Jameson, Peggy W. Kearns, Ramu Komanduri, MD., Andy Kuniyuki, Bruce Layne, Mayor John Lee, Brian Lauzon, Gary Marrone, MD., J.D., Dianne Mazzu, MD., Robert McBeath, MD., Jerrie Merritt, Bennett Mitchell, MD., Julie Murray, Abraham Jim Nagy, MD., Rachakonda Prabhu, MD., Ray Rawson, DDS., Rajesh Shrotriya, MD., Kathy Silver, Don Snyder, Nick Spirtos, MD., Lois Tarkanian, PhD., Javier Trujillo and Jim Zeiter.

## ***MILESTONES***

The UNLV School of Medicine received its Preliminary Accreditation on October 18, 2016 and began accepting applications for its Charter Class which began their studies in August 2017. The Charter Class will graduate its first students in 2021.

## ***A VISION REALIZED, A DREAM FULFILLED***

In 2005, no one would have imagined that my initial decision to ask board chair Bret Whipple to create a health science committee and his decision to appoint me as chairman of that committee would lead to the eventual creation of the UNLV School of Medicine. As a five time chairman of the health science committee, the opportunity to lead the effort in establishing the School was the highlight of my service on the board. It was a privilege and honor to be involved from the beginning, middle, and end of this legacy project. The incredible support my colleagues and I received from UNLV administration and the medical community made this vision possible. As a lawyer and the son of a doctor, it was a privilege to pay tribute to my dear father in this way. The story of the UNLV school of Medicine has only just begun, one can only imagine its future.