

INVESTITURE OF
JUSTICE MARK GIBBONS
JUSTICE KRISTINA PICKERING

Monday, January 5, 2009
2 p.m.

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

CHIEF JUSTICE JAMES W. HARDESTY

JUSTICE RON PARRAGUIRRE

JUSTICE MICHAEL L. DOUGLAS

JUSTICE MICHAEL CHERRY

JUSTICE NANCY M. SAITTA

JUSTICE MARK GIBBONS

JIM GIBBONS, GOVERNOR OF NEVADA

INVESTITURE OF MARK GIBBONS

INVESTITURE OF KRISTINA PICKERING

SENATOR RICHARD BRYAN

STEVE MORRIS

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INVESTITURE PROCEEDINGS

BAILIFF:

All rise. The Supreme Court of the State of Nevada convenes in special session for administration of the official oaths of office to the Honorable Mark Gibbons and Kristina Pickering, Chief Justice James W. Hardesty presiding.

CHIEF JUSTICE HARDESTY:

Good afternoon. The Nevada Supreme Court is now in special session to administer the oath of office to the Honorable Mark Gibbons and to conduct the investiture of Kristina Pickering as an Associate Justice to serve on the Nevada Supreme Court. We'll proceed with the invocation and the pledge of allegiance, to begin.

I am proud to introduce to you Mr. Greg Morris, Justice-elect Pickering's stepson. Greg is a lawyer practicing in Las Vegas and worked in the office adjacent to the Justice-elect for many years. Mr. Morris is also a bishop in his church. Will you please welcome and we invite Mr. Morris to come forward and offer the invocation for today's proceedings.

GREG MORRIS:

Our dear Father in heaven, as we gather together at the beginning of this investiture ceremony, we wish to give thanks for the blessings that we enjoy as citizens of this great country. We especially thank Thee for the Constitution of the United States and for the laws that guarantee to each of us the freedoms and the rights that make our lives meaningful. We are grateful for these blessings. We're also grateful for Kristina Pickering and Mark Gibbons, for all that they have done to prepare themselves to assume the responsibilities of a justice on the Supreme Court in the State of Nevada. We would ask a special blessing to be with them, that they will always hold dear the trust that we place in them as a justice of the Supreme Court. We pray that Thou bless them with physical and mental health and strength that they will be able to do all that is required of them. We pray that Thou bless them with knowledge and that they will be able to understand the issues that come before them. Most of all we pray that Thou bless them with wisdom that they will be able to apply the law and the principles that are contained therein in a fair and honest and equitable manner. For these blessings we ask, and we do so in the name of Thy son Jesus Christ. Amen.

CHIEF JUSTICE HARDESTY:

Thank you, Greg. I would like to now have the pledge of allegiance, and we have four fine young people who will lead us in the

pledge, and I would like to introduce each. First, Lucy Pulfer, who is the Justice-elect's niece. Lucy? Oh, she has been delayed. Okay. Next are children of the Justice-elect's law partners. First, Charles Barton Michaelides, who is the son of Denise Barton. And joining him are Austin and Kyle Rainey, who are sons of Rosa Solis-Rainey. Gentlemen, would you like to lead us in the pledge?

IN UNISON:

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

CHIEF JUSTICE HARDESTY:

Thanks, fellows. Ladies and gentlemen, you may be seated.

Good afternoon, ladies and gentlemen. On behalf of my colleagues on the Nevada Supreme Court, I would like to welcome all of you to this very momentous occasion. For those of you who might not be familiar with the term, an investiture is the act or formal ceremony of conferring the authority and symbols of office to our new justice. It is with great joy and expectation that we do so this afternoon and embrace our new colleague as she makes history. Today, the State of Nevada and the Nevada Supreme Court once again witness history as we conduct the investiture of Justice-elect Kristina Pickering.

Did you know that in the 144-year history of our state, 55 Nevadans—55—have had the privilege to serve as a justice on the Supreme Court? Today, Justice Pickering becomes the fifty-sixth Nevadan to serve on the high court and, equally important, she becomes the fifth woman to become a member of Nevada's highest court.

As we bid goodbye to Justice William Maupin, the Nevada Supreme Court becomes the youngest, at least in terms of length of service, of any appellate court in the country. Imagine that. For those of us on the court who are over 60, though, we kind of like the fact that we are so young. At this important time, then, we become a Supreme Court in transition, losing some valuable institutional memory, but looking forward to the future with high energy, great expectations, and a renewed dedication to justice in our state. So it is particularly fitting that a person of Justice Pickering's character, integrity, scholastic achievement, and legal skills joins this court as our new friend, colleague, and Associate Justice at this time. We thank all of you for attending this celebration, and indeed it is, and sharing in a new beginning for both Justice Pickering and the court.

It is my great privilege to introduce my colleagues and fellow members of the Nevada Supreme Court. First, I would like to introduce Associate Chief Justice Ron Parraguirre, seated to my right.

To my left is Justice Michael L. Douglas. To the right of Justice Paraguirre is Justice Michael A. Cherry. To the left of Justice Douglas is Justice Nancy M. Saitta, and to the right, at the end of the table here now, is Justice Mark Gibbons, whom I will introduce more formally in a moment.

I would also like to introduce constitutional officers that have joined us this afternoon, and, as I introduce them, if they would please stand and be recognized by all of you. We certainly appreciate the fact that the constitutional officers have joined us this afternoon. First, and I'll later introduce him more formally before his speech, Governor Jim Gibbons. Governor, thank you for being here. Secretary of State Ross Miller; our State Controller Kim Wallin; and State Treasurer Kate Marshall; and the Attorney General for the State of Nevada, Catherine Cortez Masto. Is the new Majority Leader of the Legislature, Steven Horsford, present? I don't see him.

I would like to introduce some family members of our new investiture folks. First, Justice Gibbons' wife Sandy. Justice-elect Pickering's husband Steve Morris; and her stepsons Steve Morris, Jr., and you already met Greg, but Greg, please stand up. Welcome.

I would also like to introduce their staffs who will be so important to them as they serve on the Supreme Court. Justice Gibbons's staff first: Judicial Chambers Assistant Gerri Biegler; and one of Justice Gibbons's law clerks, Candice Renka.

New to the court staff and perhaps to some of you are the Justice-elect's new staff members. And they come with quite a pedigree. First, I'd like to introduce Anita Alexander, who will be the Judicial Chambers Assistant. She worked for United States District Court Judge Philip Pro as his administrative assistant for many years and later for Attorney Richard Wright. Ms. Alexander, welcome. And in keeping with the fact that our Justice-elect is in the Order of the Coif, apparently, that now is a standard people must meet if they are going to be a law clerk in this chambers, Peter Singleton graduated from Brown University, obtained a master's in business administration and a juris doctor from the University of California Hastings College of Law; he finished fifth in his class and is a member of the Order of the Coif. Please stand and be recognized. Welcome. And as well, I would like to introduce Mr. James Hazlehurst. He graduated from the University of California, Los Angeles, with degrees in English and economics and obtained his juris doctor degree from the Justice-elect's alma mater, the University of California Davis School of Law, finishing fourth in his class and is also a member of the Order of the Coif. Welcome. With that crew, we're going to raise the bar in that chambers.

I would like to also introduce to all of you the court staff supervisors who assist us and are such an important and valuable part of

the Supreme Court's operations. First, the Clerk of the Court, Tracie Lindeman; our State Court Administrator, Ron Titus; and the head of the Criminal Division of the central staff, Phaedra Kalicki. Many in the Supreme Court staff have attended these proceedings today, and I would ask those members of the central staff who are in the Criminal Division to please stand so that the group present can acknowledge you. Welcome. Next, I'd like to introduce Sarah Moore, who is the head of the Civil Division of central staff. And all members of the Civil Division central staff who have joined the proceedings today, if you would also stand, please. Welcome. And the Law Librarian for the Nevada Supreme Court, Kathleen Harrington; Kathleen, are you present? Welcome.

An individual has served this court for 18 years and recently retired. She was and is the backbone of the court. After her retirement, she continues to serve the court as counsel and advising the court on various projects. Not long ago, the court prepared a certificate to acknowledge her retirement. We never had the right occasion to present it to her. All of you know her well. We would like to thank and acknowledge Janette Bloom and ask her to come forward and receive a certificate of the Supreme Court's appreciation of her service. The best part of that was being able to surprise Janette. We rarely get a chance to do that.

I'd like to introduce a number of dignitaries who are present with us, but before I do, I wanted to extend his condolences, for his not being here, from retired Justice Cameron Batjer. He called and specifically wanted to extend his congratulations and best wishes to you, Kristina. As you may know, certainly you know and many others may know, Cameron Batjer was the first occupant of Seat B on the Nevada Supreme Court and held that seat for 14 years. He is in ill health and not able to get here today. He wanted to extend his congratulations and best wishes to you.

I would also like to introduce the person who is leaving Seat B, William Maupin. He has served for 12 years on the Supreme Court. We are very much appreciative of all the contributions that he has made to the legal system and to the rule of law in our state, and Justice Maupin, you will be missed, and we congratulate you for your service. Thank you.

I would also like to introduce the justice who was the first woman on the Nevada Supreme Court and occupied Seat A, the seat that I serve in, my predecessor, one of the finest justices to serve, Justice Miriam Shearing.

And recent retiree and now part-time resident in Hawaii, his contributions are well known to the legal system, and we are grateful to have him as a Senior Justice, Justice Robert Rose.

A number of state judges have joined us today, and I'd like to introduce them and ask them to stand when I call their name. If you'd hold your applause until after I have introduced all of them. Judge

Todd Russell from the First Judicial District Court; Judge Jerome Polaha in the Second Judicial District Court; Judge Mike Gibbons from the Ninth Judicial District Court; and Judge Dave Huff from the Third Judicial District Court. Thank you for being here; we appreciate it.

We are fortunate to have with us two federal judges. First, Senior United States District Court Judge Howard McKibben. And soon-to-be Senior—oh, he just looks that way—United States District Court Judge Larry Hicks.

I would also like to introduce William Dressel from the Judicial College, if he is present. Way in the back. Bill, thank you for attending.

Okay, if I have missed any dignitary, I apologize. In a moment, I'll just ask everyone to stand, and we'll clap for each other.

I would like to begin the proceedings with some comments from the chief executive of our state. Jim Gibbons has served as governor for two years. He has been a friend of the judiciary. We all know that he has been working through some difficult budget times. The court would like to thank you for working with us on ours. Governor Jim Gibbons.

GOVERNOR GIBBONS:

Chief Justice Hardesty, members of the Supreme Court, Justice-elect Pickering, thank you all for being here today. It is my pleasure and my honor to be here to give a few brief remarks at this investiture.

You know, following on what Chief Justice Hardesty said about the changing face of both the judiciary, the Supreme Court, and the State of Nevada, one can see the changes in the state. The changes in this state may be subtle, but they are dramatic to some. For example, to me, as a geologist, I look at the changing example of the face of the state in the rocks and the pictures behind the sitting justices. When you look at those pictures, you can see the changes that have taken place over millions of years. We look at the face of justice today and see the face has changed in a short period of two years.

These are momentous times for all of us. These are important times for the state. Justice-elect Pickering, may I offer you my heartiest congratulations on the opportunity you will have to serve on this Supreme Court when you take the oath of office and don the robe of a Supreme Court Justice for the State of Nevada.

You know and I know that every decision, every decision that you make or any of us make may affect just one person, but in your case may affect millions in the cases that you hear and decide. And like decisions that all of us have had come before us, we make those decisions that change our lives. We may not think of them as important at the time, but when we reflect back on them, those are the

very decisions that got us to the very point we are today. Whether you are a member of the Supreme Court, or whether you are a governor, or whether you are an individual out here making decisions about what choices you have to make, it is those decisions that are important, and those decisions are life decisions for not only you but everyone on this court. So as you don your robe and you take that oath of office, let us all remember that you have the support of the people of the State of Nevada. And you have the support of this governor. May God bless you in this act. Thank you.

INVESTITURE OF JUSTICE MARK GIBBONS

CHIEF JUSTICE HARDESTY:

We'll now proceed with the administration of the oath of office to Justice Mark Gibbons. In historic fashion, Justice Gibbons urged that nothing be said about him, that we simply administer the oath and move on. And true, this is Justice-elect Pickering's day, but you know what, I chose as Chief to ignore his admonishment, for this is a man who simply cannot be ignored. While this investiture recognizes Justice-elect Pickering, I would like to briefly introduce our colleague and friend. Justice Gibbons will be the longest serving member of the Nevada Supreme Court as of today—six years. He truly is an old man. As many of you know, he served as a District Court Judge, including a term as Chief Judge, of the Eighth Judicial District Court in Clark County. He was first elected to the Supreme Court in 2002, and he did an outstanding job as our Chief Justice last year. All of us very much appreciate the fact that the voters saw fit to return this very kind, hardworking, talented justice to the court. We're very grateful that Justice Gibbons will continue for another six years of service with us. And with that, Justice Gibbons, I'll invite your wife to come forward, and we will administer the oath to you. (*Chief Justice Hardesty administered the oath of office to Justice Gibbons.*)

INVESTITURE OF JUSTICE KRISTINA PICKERING

CHIEF JUSTICE HARDESTY:

We will now proceed with the investiture of Justice-elect Kristina Pickering. She has invited a couple of speakers to introduce her, and I would like to introduce our first speaker, who really requires no in-

roduction to the citizens of the State of Nevada. Senator Richard Bryan is a former U.S. Senator and is a shareholder of Lionel Sawyer & Collins. His practice focuses on government relations—federal and state and local levels. He is a native Nevadan. He began his legal career in 1964 as a deputy district attorney in Clark County. Wow, that was a long time ago. Two years later, he was named Clark County's first public defender. In 1982, he was elected to the first of two terms as Governor. In 1988, he was elected to the first of two terms in the United States Senate. Senator, we are very pleased you could join us, and Bonnie. Thank you very much. Please come forward.

SENATOR BRYAN:

Governor Gibbons and members of the state constitutional family, members of the court, members of the bench and bar, especially family members of those who take the oath of office today, and most especially the person who brings my presence to the rostrum, our newly elected Justice Kris Pickering. Much as the Governor and the Chief Justice observed, on these kinds of occasions, there is a tendency to look at the historical perspective in context—where we have gone as a state and where we are proceeding. And in preparing for these remarks today, I was struck by the sweeping and profound changes that have transformed the political and the legal landscape of our country and our own state during the course of Kris Pickering's professional career as a member of the State Bar of Nevada. This past November, we elected an African-American President, and a woman nearly became the nominee of a major political party. Neither of those events would have been possible in 1977, the year that Kris Pickering became a member of the State Bar of Nevada.

A generation ago, the Supreme Court consisted of but five members. Today, as we all know, seven members grace the court. The caseload in those intervening 32 years has more than doubled, from a little more than 1,000 to 2,238 cases in the last year in which the records have been completed. And that year, 26 judges presided over our district court; today, there are 64. In 1977, the state's population had yet to reach 700,000 people; today, more than three times that number claim Nevada, the Silver State, as their home of residence. A generation ago, 89 years after the State Legislature was importuned to change the law to allow the first woman to practice law in Nevada, no woman had been elected to either the state district court or the Supreme Court bench in our state. And yet today, as we have just learned, Justice Pickering becomes the fifth woman to be so honored.

Although no one can predict with absolute certainty what the future portends, we are reminded that the past is prologue. The economic crisis which the Governor alluded to briefly has buffeted the

nation unlike anything that has hit our country since the Great Depression. We in Nevada have not been immune from the financial undertow, and for us the point of reference is our state has faced nothing quite like this since the collapse of the mining economy in the late nineteenth century.

Their response, the response of our state leaders, to this current situation is likely to involve a number of legislative enactments during the coming session and those that follow, some of which will undoubtedly come before this court to determine either its constitutionality or to interpret its scope and effect. I am reminded of the journey of a French historian and social commentator who came to America in the 1830s, Alexis de Tocqueville. Among his more trenchant observations about us as a society and our system of government was a particularly prophetic insight with respect to our legal system. "There is hardly a political question in America," de Tocqueville observed, "which does not sooner or later turn into a judicial one." How right he was.

Justice Pickering brings to this court an impressive arsenal of skills and talents. She has a broad range of experience at both the trial court and the appellate court level. She has the intellectual depth and capacity to understand the competing and complex issues that are frequently brought before this court. Since her adolescent years growing up here in northern Nevada, and based upon her own personal life experience, she has been driven by an abiding conviction that fairness is a goal to be sought, and she came to believe and continues to believe that the law is the most effective vehicle to achieve that goal. She understands the great diversity and the changes that have occurred in our state. She has lived in northern Nevada, she has lived in southern Nevada, and she and her husband have a ranch in the geographic center of our state near the former county seat of Nye County, Belmont.

Last, and by no means least, she brings mature and thoughtful judgment to this court. I am reminded of the words of one of our more distinguished United States Supreme Court Justices, Felix Frankfurter, who made this observation: "Judicial judgment," he said, "must take deep account of the day before yesterday in order that yesterday may not paralyze today."

This is an auspicious occasion, not only for Justice-elect Kris Pickering and her family, but for this court and for all Nevadans. Congratulations, and I have been honored to say a few words on your behalf. Thank you.

CHIEF JUSTICE HARDESTY:

Next, it is my privilege to introduce to you the Justice-elect's husband and law partner, Steve Morris. Steve is a graduate of the University of Texas and practiced in Las Vegas for the past 40 years.

Our new Justice Pickering is only slightly older than that, he tells me. This was his introduction, by the way. You have no idea what's coming. Steve is also a fellow of the American College of Trial Lawyers and a member of the American Law Institute. He is probably best known for his appearance some years ago on the ALI-ABA satellite video broadcast "Dealing With the SOB Litigant," which many thought was biographical and is one reason why the Justice-elect has asked him to speak after Senator Bryan. Steve has also served on the Nevada State Bar Board of Governors and chaired several state bar committees that dealt with rules for lawyer discipline and professional responsibility. Mr. Morris, it is a privilege to have you here today.

STEVE MORRIS:

Thank you, Governor Gibbons, Chief Justice Hardesty, constitutional officers, members of the judiciary, and honored guests. It is a privilege to be here this afternoon at the invitation of my wife and with the tolerance of the Supreme Court to make these few remarks that I am about to deliver.

It is with great affection and admiration, and with considerable regret, that I am pleased to congratulate and commend Kris Pickering to this court and all Nevadans as a gifted lawyer, who in just moments will be sworn in as the newest justice of the Nevada Supreme Court.

There are three elements to these remarks, and the first is affection. I would like to say just a few words about that. My affection for Kris stems from 28 years of working with her as a valued colleague, the last 15 of which she has been my wife.

My admiration for Kris comes from being a beneficiary of her superb work as a lawyer for the many plaintiffs and the defendants that we have represented. She is a gifted student of the law, and she has been the intellectual heart of our small law firm, without whom we would not have succeeded. She has been for clients and for the lawyers in our firm over the years the go-to person in our firm to solve what has appeared at times to be insoluble legal problems. She has been there for us, and I say to you this afternoon, she will be there now for this honorable court today and in the future, and for the citizens and litigants from across the world who look to this court for solutions to legal disputes and for guidance to avoid future disputes.

We now come to the third element, the regret I expressed a moment ago. And in expressing it, I will honor Ecclesiasticus, who said, like many of you who have entertained me in court from time to time, "Let thy speech be short, comprehending much in few words." My regret is this: After I leave here this afternoon, and Kris behind as a member of this court, I will have to return to Las Vegas,

and I will have to go to work to make a living. And I'll have to do so without Kris's invaluable advice and encyclopedic knowledge of the law to fall back on. But in doing so, I have in mind the remarks of a Floridian, who some years ago said, "Ignorance"—his name was Addison Mizner—and he said, "Ignorance of the law excuses no man from practicing it."

But nonetheless, I wish to acknowledge, and happily so, here today that Kris has now achieved what she has aspired to since we first met many years ago in court, in Bruce Thompson's federal court in Reno. She is about to become a judge, which, as the editor and critic H.L. Mencken once said is nothing more than a law student who marks her own examination papers. But she will be doing so in an environment far different from that in which this court first convened, as observed and described by Mark Twain in *Roughing It*, when the Chief Justice and the Associate Justices lived in rooming houses scattered throughout Carson City, where their bedrooms served as their chambers. What a difference a century and a half has made to the facilities for the administration of justice in this court. The court's superb facility next door, and the judges and lawyers and others who occupy it, is a testament to this court and its mission to impartially dispense justice to the best of human ability. This will be a splendid second home for Kris, and in saying this, I ask her on behalf of all of us to in this one instance disregard precedent. Kris, don't sleep in the office. Come home once in a while to rest.

Kris, as you embark on your new career of service to Nevada and citizens of the world who use its court, we, your colleagues, your friends, your many and diverse admirers, know that you take this office with a ferocious talent that gives meaning to the touchstone of the English system of justice from which our American system of justice is derived. To be an appeals court justice, one must be a good lawyer. You, Kris, are more than that. You are a scholar lawyer, a genuinely good person, and you have been a great spouse, although, I reluctantly acknowledge that you haven't been a great cook.

All of us here know that you will be an exemplary appellate judge and a distinguished member of this honorable court. We wish you Godspeed and an A+ on every one of your examination papers. Congratulations, sweetheart. You have earned this wonderful office, and you deserve it. Thank you.

CHIEF JUSTICE HARDESTY:

Mr. Morris, I think you're fortunate to receive such a warm embrace after criticizing your wife's cooking.

As I mentioned, the purpose of an investiture is to invest the Justice-elect with her authority and her symbols of office. In a moment, I will administer the oath, and we will also ask her family to join us in providing her with the judicial robe. But I thought all of

you and the Justice-elect might be interested in knowing a little bit about the robe and why judges wear robes. When judges first started wearing robes, the dress was not unusual. The costume of a judge—a long robe, a full hood, and a cloak—was based on the correct dress for royal court attendants in England. In 1635, the definitive guide for court dress was published in the *Judges' Rules*, outlining what robes should be worn and when. In 1714, when Queen Anne died, the judges wore black robes to mourn her death and have worn black ever since, although red robes are still worn in England, Canada, and France. Upon the founding of our country, John Adams and Thomas Jefferson disagreed on what judges should wear. Adams wanted judges to dress similarly to English judges, wearing red robes and wigs. Jefferson preferred judges wear suits. Thankfully, a compromise was reached and judges would wear black robes and, thankfully, no wigs. The robe is now considered a reminder of the law and a symbol of neutrality and conformity with the judges throughout our country.

Justice-elect Pickering, I would like to administer the oath and ask your husband, Mr. Morris, and your brother Don Pickering, Jr., to join us. (*Chief Justice Hardesty administered the oath of office to Justice Pickering.*)

And now I would like to introduce four very close persons to the justice who will participate in the robing ceremony. Susan Anderson, Justice Pickering met during the MGM insurance litigation—that goes back a long ways—and they have been professional colleagues and friends most of their adult lives. Susan is the lead legal assistant at Morris Pickering. Susan, would you come forward? And, as well, Jeana Hart, another longtime friend and colleague of Justice Pickering. They've worked together since the Justice's time at Lionel Sawyer & Collins, and Ms. Hart is the legal administrator at Morris Pickering. If you would come forward, ladies. And as well, Courtenay Murphy, one of Justice Pickering's sisters. And I would also like to introduce to you Rosa Solis-Rainey, Justice Pickering's close friend and law partner. Will the court clerk please provide the robe? Pardon me? Oh, and Don Springmeyer, I apologize. Don, I didn't have you on the list. Please come forward.

Ladies and gentlemen, it is my privilege to introduce you to Justice Kristina Pickering. Justice Pickering, the podium is yours.

JUSTICE PICKERING:

Governor Gibbons, constitutional officers, members of this court, thank you all for being a part of this celebration.

Nevada has been so fortunate these past 12 years to have Justice Maupin on the Supreme Court. His term ends as mine begins. Like all members of the Court and its staff, his support during this transition has been magnificent. He talked to me about his work on the

court, and one thing in particular stood out. He said this: "Every day, I get up and go to work and I think to myself, what a gift and a responsibility that I have been given of people's trust and faith. I can honor that adequately only by doing the job honestly and well."

And that is how I feel and why today's odd, cumbersome word, investiture, fits. People bring their life-altering disputes to the courts because of their faith, not that they will win, though that is what they would like, but that they will be heard fairly and honestly according to the law. They invest their faith in our system.

Judges, though elected in Nevada, do not do their work politically. There is a critical difference between political ideology, which is a set of political beliefs, and judicial philosophy, which is a theory of proper judicial decision-making. Judges sit to decide cases according to the Constitution and the rule of law. Personal political beliefs have no proper role to play. Faith in the system comes from knowing that a matter has been decided not on the basis of a particular judge's particular preferences or who the players are, but according to law applied faithfully to the exact, precise dispute presented.

Over the course of this past year, campaigning for the first time in my life, I spent a lot of time talking to people about the courts. For many, the first thought was gratitude: "I have never had a matter come to court, I hope I never do." The next thought, sadly, were the controversies over certain judges that have been so much in the news. These are both conversation stoppers, but persistence pays off, and once past these issues I found that people understand, some articulately and some simply intuitively, why our dispute resolution system works and what it demands of its judges if it is to work. People invest faith in our justice system that the law will be applied honestly and accurately to the life-changing disputes they have before our courts. That law needs to be objectively determined and accountably applied from case to case, not according to one judge's or another's whim or prejudice. No one likes to lose, but if their case has been heard fairly and honestly on the merits according to law that rests on principles, they can accept that, win or lose, justice has been done. Even with its flaws and occasional black eyes, it is these principles that make ours the most elegant and effective dispute resolution system in the world. I am deeply honored to be invested as part of it.

I would not have the opportunity today represents without the help of my family and friends. Emerson wrote: "The glory of friendship is not the outstretched hand, nor the kindly smile, nor the joy of companionship; it is the spiritual inspiration that comes to one when he discovers that someone else believes in him and is willing to trust him with his friendship." That is so true for me today. I would like to thank some of the incredibly special friends who are here with me today.

First and foremost is my life partner and my law partner, Steve Morris. As he mentioned, I first met him when he was trying a case before Judge Thompson, for whom I clerked in federal court. Now that I no longer practice law with Steve, and I too share his regrets after 28 years, I can say this without seeming immodest—I thought then and I still do that he is one of the finest trial lawyers there is. More than that, to me, he has been my biggest fan, supporter, counselor, lover, and friend. Thank you, Steve, I am going to miss working with you. I already do.

Denise Barton is also here. She is my law partner, too, and she will close today's ceremony. It was she who came with me to Carson City to file for this race. It was Denise who dressed up in cowboy boots and jeans and walked with her son Charlie, who led the pledge, and her parents Bert and Diana, who are here almost as second parents to me, in parade after parade across the state, from Boulder City to Jim Butler Days in Tonopah to Pahrump's Valley Festival Harvest Parade to Nevada Day back here in Carson City. Denise confided in me after the election returns were in that she had some real doubts over the course of the campaign whether or not her encouragement and what she had encouraged me to get myself into was not in fact a horrible mistake. It wasn't. But she and her whole family are here today, and I thank them for everything.

My family is here also. On the Pickering side, my sister Courtenay; my brother Donald; and my sister Emily was to be here, and I don't know, oh, she arrived. Good. Emily's here. I was worrying where you were. And my little niece Lucy. They are from Seattle, so they had to get here. On the Morris side, Greg Morris; Steve Morris, Jr.; and their wives and children. Others here I particularly want to thank: my very best friends Susan Anderson and Jeana Hart, who helped put the robes on and with whom I've worked almost my entire adult life; Rosa Solis-Rainey and her sons and her husband; and an incredible troop of people from my law firm have come here today. They include Patty Cannon, Bonnie Lee, Akke Levin, Rob McCoy, Rex Garner, Jared Sechrist, Kathy McCord, Ryan Lower, and others. I hope I haven't missed anyone.

I owe special particular thanks to Don Springmeyer. He was my fellow law clerk when I clerked for Judge Thompson, and he and I actually were undergraduates together at Yale many, many years ago.

I owe Justice Rose a great debt of gratitude for having given me advice over the course of this campaign and for his friendship with me and Steve over the years. Pat and John King are here, and the Kohlmoos family, especially Ross. I met Pat and Lory through our shared love of border collies, but our friendship blossomed from there. Without their help here in the north, this election would not have been possible. Thank you.

Advice is a ready commodity in elections and much of it is very bad. The good, trustworthy advice I received came especially from

Senator Bryan and also from Ryan Erwin, who I believe is here today, and Don Millar, who could not be.

Today, I would also like to thank three people who aren't here, and are no longer with us, but it seems important to mention them: my mom, my dad, and my first real boss, Bruce Thompson. We are all of us the product of the people we have known and the experiences we've had. These three people shaped my life the most.

Bruce Thompson was the United States District Judge in Reno. I clerked for him straight out of law school. He was smart, honest, wickedly funny, and, above all, scrupulously faithful to the rule of law and to the court system and to the constitutional form of government he served. I remember the occasion of his taking senior status. It was a huge gathering in the federal building over on Booth Street, back across from Reno High School. Then-Chief Judge Browning spoke, and he said of Judge Thompson that there are few trial judges as good as Judge Thompson and none better. I thought that was true then, and I still do.

Then there are my parents. I know my brother Don and sisters Courtenay and Emily still miss our dad. He passed away two years ago. He practiced medicine here in northern Nevada, and he exemplified hard work and dedication across his life. He cared greatly about his patients and, as a pediatrician, he called them "the little people." I met some of them in the course of the campaign, and he touched their lives, and they touched mine when they spoke to me of him.

Finally, my mom. She did not live nearly long enough, taking sick when I was twelve and dying two years later. She and I were very, very close. Up until the time she got sick, my childhood was magical, due in large measure to her. She gave me so much, but the greatest gift she gave was that she loved to read and she shared that love with me. Post-its did not exist during her lifetime, and in her world, you didn't write in books. To mark passages that she particularly liked—or sometimes ones she didn't but wanted to talk about—she would put paper clips by them, and after she died her book collection passed to me. I'd go back and in preparing to address everyone here today, I reread some of the paper-clipped passages that she particularly favored. Emerson, in particular, was one of her favorites. He wrote his greatest works, I think, in the late 1830s and early 1840s—a matter of opinion, but that was a time when America, as it is today, faced terrible challenges economically, socially, and otherwise. He saw in such times a call and an opportunity to reach more authentically into ourselves to do what is right and what matters. I'd like to close today by reading a brief passage from one of his essays that has a paper clip by it in the book that I have. "Our desires presage the capacities within us; they are harbingers of what we shall be able to accomplish. What we can do and want to do is projected in our imagination, quite outside ourselves,

and into the future. We are attracted to what is already ours in secret. Thus passionate anticipation transforms what is indeed possible into dreamt-for reality.’

Thank you all, but most especially thank you, Steve, for making this investiture my dreamt-for reality.

CHIEF JUSTICE HARDESTY:

Justice Pickering, please join the court. And we have all learned, you need to be careful walking up here and careful with the chair. We’re sliding around up here like it’s on ice.

I thought I would offer just a few closing comments to share with you what faces the new Justice-elect within the next 72 hours. Just so that anybody doesn’t doubt the workload of the court, or the fact that the new Justice-elect is going to be working quickly—tomorrow, the entire court will hear six oral arguments, followed by five more on Wednesday, followed by a full day of oral presentations for the Southern Panel. And then we’ll see what happens on Friday.

I would like to thank all of you for attending this special celebration. It is important to Justice Pickering and her family, but it is important to the State of Nevada and the Nevada Supreme Court that you be present and recognize the importance of this transition.

I would like to introduce Justice Pickering’s longtime friend and law partner, Denise Barton, to step forward and offer a benediction of these proceedings. Would you all please rise?

DENISE BARTON:

It is my privilege and honor to give the benediction at the investiture ceremony of this remarkable woman, Kristina Pickering, a woman I have known well and with whom I have worked side by side for 14 years, a woman who I have been blessed to have as a mentor and to count as one of my dearest friends, a woman who will perform the duties of a Nevada Supreme Court Justice with intelligence, integrity, and grace. Kris will bring to this position her brilliant, incisive, and careful mind, her deep and abiding integrity, and her thoughtful and compassionate heart. And I ask the Lord to bless her as she moves forward in this important task. So to now-Justice Kris Pickering, and to everyone in this room today, may the Lord bless you and keep you, may the Lord make His face shine upon you, may He comfort you and guide you, and may the Lord give you strength and peace. Amen.

BAILIFF:

All rise. The special session of the Supreme Court of the State of Nevada is now adjourned.