

Hutchison & Steffen Partner John T. Steffen Appointed to the State Bar of Nevada Board of Governors Standing Committee on Transitioning into Practice

Hutchison & Steffen partner John T. Steffen has been appointed to the State Bar of Nevada Board of Governors Standing Committee on Transition into Practice. The committee was established in a December meeting of the Nevada State Bar Board of Governors. The purpose of the program is to introduce newly licensed Nevada lawyers to the legal community and to mentor them in the practical application of ethics, civility, and professionalism. Beginning in 2012, it is now mandatory that every new lawyer be assigned an experienced mentor who can teach, assist, and help transition them into the practice of law.

I am proud to work with members of this committee, including Chief Justice Nancy Siatta of the Nevada Supreme Court," Steffen states. "This is a very important program and it's crucial that new attorneys receive proper professional and ethical training early in their career. Experience has proven that attorneys who are properly instructed and trained have significantly fewer problems and enjoy a higher degree of success in the practice of law." ■



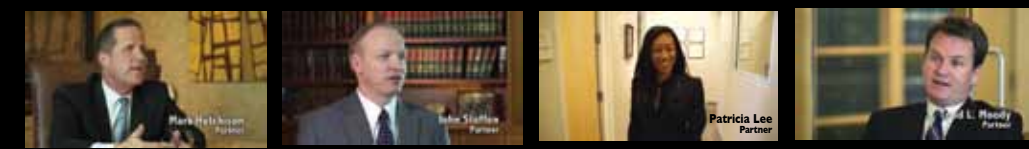
Partner Kumen L. Taylor Obtains Defense Verdict in Serious Brain Injury Case

Partner Kumen L. Taylor successfully defended the firm's client in a recent brain injury case. After a hotly contested trial, the jury returned a unanimous defense verdict in favor of Taylor and his client. The plaintiff sued the defendant seeking over one million dollars in damages. The plaintiff claimed the defendant failed to exercise due care while operating his vehicle, causing serious brain injury to the plaintiff. Taylor successfully argued that the plaintiff's own actions were the primary cause and contributing factor in the accident. This victory is one of many for partner Kumen Taylor, who has an outstanding record before juries and judges in civil jury trials. *Raquel M. Sorensen v. Bodi Braithwaite*, Case No. 100400336 (4th Dist., UT. 2012). ■



New Practice Area Videos on Firm Web Site

New practice area videos have been uploaded to the Firm's Web site. These videos provide visitors with information on the Firm's business litigation, trust and probate litigation, adoption, and landlord/tenant practice areas. Mark Hutchison, John Steffen, Patricia Lee, and Todd Moody are featured in the initial series of videos, with more to come in the future. The videos range from one minute to just under two minutes in length. Visit hutchlegal.com and click on the videos, featured on the home page. ■



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PERSONAL INJURY
PROFESSIONAL LIABILITY DEFENSE
REAL ESTATE LAW
TRUST & PROBATE LITIGATION



Americans with Disabilities: A Primer for Small Business



Hutchison & Steffen Community Involvement



New Practice Area Videos on Firm Web Site

HUTCHISON & STEFFEN
ATTORNEYS

Legal Matters

Spring 2012

HUTCHISON & STEFFEN IS PROUD TO ANNOUNCE CHRISTINA M. ALEXANDER AS PARTNER AND RUSSEL J. GEIST AS ASSOCIATE

Hutchison & Steffen managing partner John T. Steffen announced that Christina M. Alexander has been named a Partner with the Firm. Christina, who joined the Firm in 2007, practices primarily in medical malpractice and represents and counsels medical providers in defense of claims of malpractice. As an attorney for medical and dental providers, Christina works on behalf of doctors, dentists, physicians-assistants, nurses, and their related medical practices in all areas of law involving patient care. This includes not only claims made regarding treatment by a patient, but also matters before licensing boards, as well as the general operation of medical and dental practices.



"We are pleased to have Christina join our ranks as a partner," Steffen said. "She has been an invaluable part of the Firm since her arrival here and has become highly respected in her practice of defending medical providers in medical malpractice litigation. She is a great asset for our clients, who trust her professional skills and judgment."

A native Floridian, Christina has degrees in business administration and political science from the University of West Florida. She attended Emory University School of Law, later graduating from Pepperdine University School of Law after relocating to California. After beginning her practice of law in Los Angeles, Christina joined the national law firm of Lewis Brisbois, Bisgaard and Smith in Los Angeles, where she began her practice defending medical providers.

Christina is admitted to practice before all state and federal courts in Nevada and California. She has litigated matters before courts in both states, as well as before the U.S. Ninth Circuit Court of Appeals.



Hutchison & Steffen is pleased to announce Russel J. Geist has joined the Firm as an associate in the Firm's trust and probate litigation department, handling cases concerning will, trust, and probate disputes. Russel earned a bachelor's degree in psychology from the University of Nebraska – Lincoln. After moving to Las Vegas, Russel earned his Juris Doctorate from the Boyd School of Law at the University of Nevada, Las Vegas. He continued his legal education by obtaining his Master of Laws degree in Taxation from the Dedman School of Law at Southern Methodist University in Dallas, Texas.

"We are pleased to have Russel join our team," says Firm co-founder and managing partner, John T. Steffen. "He has a great legal background and a depth of knowledge and experience that makes him a great addition. I look forward to his future achievements with the Firm." ■



Americans with Disabilities: A PRIMER FOR SMALL BUSINESS

The Department of Justice (DOJ) recently revised its regulations implementing the Americans with Disabilities Act (ADA). This revision clarifies some issues that have arisen over the past 20 years and contains some new requirements, including the 2010 Standards for Accessible Design. DOJ has published a document, ADA Update: A Primer for Small Business, which provides guidance to assist small business owners in understanding how the new regulations apply and how to comply with them. The Primer can be viewed by going to www.ada.gov.

Public Accommodations

Title III of the ADA, on “public accommodations,” applies to both the built environment and to policies and procedures that affect how a business provides goods and services to its customers. The Primer can help small businesses avoid the unintentional exclusion of people with disabilities, and it will also help them know when they need to remove barriers in their existing facilities.

Practically all types of businesses that serve the public are covered by the ADA, regardless of the size of the business or the age of its buildings. Covered businesses must make “reasonable modifications” to their business policies and procedures when necessary to serve customers with disabilities. They must also take steps to communicate effectively with customers with disabilities. It is a business’s responsibility to provide a sign language, oral interpreter, or video remote interpreting (VRI) service, unless doing so in a particular situation would result in significant difficulty or expense in light of the business’s overall resources. If a specific communication method would be an undue burden, a business must provide an effective alternative if there is one.

Businesses must allow people with disabilities to use mobility devices in all areas in which customers are allowed. Public accommodations must permit individuals who use these devices to enter their premises, unless the business can demonstrate that the particular type of device cannot be accommodated because of

legitimate safety requirements that are based on actual risks, not stereotypes.

The ADA mandates that businesses remove architectural barriers in existing buildings and make sure that newly built or altered facilities are constructed to be accessible to individuals with disabilities. Commercial facilities such as office buildings, factories, warehouses, or other facilities that do not provide goods or services directly to the public are subject to the ADA’s requirements only for new construction and alterations.

Regarding the built environment, the ADA strikes a careful balance between increasing access for people with disabilities and recognizing the financial constraints many small businesses face. Flexible requirements allow businesses with limited financial resources to improve accessibility without excessive costs.

Updated Standards

The ADA’s regulations and the ADA Standards for Accessible Design, originally published in 1991, set the standard for what makes a facility accessible. While the updated 2010 Standards keep many of the original provisions in the 1991 Standards, they do contain some significant differences. The 2010 Standards are the key for determining whether a small business’s facilities are accessible under the ADA, but they are used differently depending on whether the small business is altering an existing building, building a brand new facility, or removing architectural barriers that have existed for years.

Since March 15, 2011, businesses have had to comply with the ADA’s general nondiscrimination requirements, including the provisions related to policies and procedures and effective communication. The deadline for complying with the 2010 Standards, which detail the technical rules for building accessibility, was March 15, 2012. The delay was meant to give businesses enough time to plan for implementing the new requirements for facilities. ■



PATRICIA LEE

Hutchison & Steffen Partner Patricia Lee Appointed to Legal Aid Steering Committee

Hutchison & Steffen partner Patricia Lee has been appointed to the Legal Aid Steering Committee by District Court Judge Elizabeth Gonzales, who oversees the Committee and its efforts. The Committee supports the efforts of the Legal Aid self-help center at the district court house. The Committee, comprised of high-level executives, works to maintain funding, improve services, introduce new services, and monitor the data collection functions of the self-help center.

“I am honored to be appointed to this Committee,” Lee states. “I am a strong advocate of ensuring access to justice for everyone in our community, and this Committee coordinates legal professionals’ efforts in achieving that goal. I’m glad to be a part of that effort.” ■

Hutchison & Steffen Partner Patricia Lee Elected President of the Las Vegas Chapter of the National Bar Association Foundation

Hutchison & Steffen partner Patricia Lee has been elected as the President of the Las Vegas Chapter of the National Bar Association Foundation. The Foundation’s goal is to promote diversity in the bar by, among other things, raising money

for scholastic scholarships for minority and low-income students in law school. They also support various charitable events and initiatives sponsored by other organizations if they are in keeping with the Foundation’s charitable purpose.

“I am so proud to be a part of this organization,” Lee states. “I firmly believe in giving back to the community and to increasing awareness and diversity in the bar. This Foundation’s main goal is giving back and I am proud to be a part of that.” ■

Hutchison & Steffen Honored at 2011 Pro Bono Awards

Hutchison & Steffen and its attorneys were recently honored by the Legal Aid Center of Southern Nevada for their pro bono efforts in 2011. Supreme Court Justice James Hardisty presented the law firm with the “Rising Star” award for its pro bono work. This award honors a law firm that has developed a firm-wide commitment to community service and a growing contribution to pro bono programs each year. The firm doubled its attorneys’ pro bono hours from last year and the number of cases increased from nine to 25.

In addition to the overall firm award, Hutchison & Steffen partner Patricia Lee and associate Tanya S. Gaylord were recognized at the event, each being named to the “50 hours or more” club. “This is tremendously exciting for us to have increased our role in contributing pro bono legal services in Southern Nevada,” remarked Lee. “There has been a groundswell of support from dozens of our attorneys, ranging from associates to partners to of counsel team members. Not only does the Firm support this community service, but the individual attorneys have significantly stepped up their efforts this year. I see only continued growth and commitment in future years.” ■



TANYA GAYLORD

Hutchison & Steffen Sponsors Pro-Bono Practice Area for 2012

Hutchison & Steffen and its attorneys have increased their pro bono efforts by sponsoring an entire pro bono practice area at the Legal Aid Center of Southern Nevada for 2012. The first firm in Southern Nevada to formally “adopt a practice area” from Legal Aid, Hutchison & Steffen has chosen domestic violence cases, Legal Aid’s greatest area of need. Nevada has the highest rate of deaths in the country associated with domestic violence and currently Legal Aid has only been able to meet 80 percent of the need. Legal Aid has also committed to supplying the Firm with no less than two dedicated mentors who are full-time staff attorneys at Legal Aid who work solely on domestic violence cases to assist whenever necessary.

“Legal Aid is so close to my heart,” says Patricia Lee, a partner with the Firm. “It has been on my goal list to help increase my pro-bono efforts as well as the Firm’s. So to be able to help in such a large way, by having every attorney with the firm dedicating time to Legal Aid, I couldn’t be more thrilled.”

“Our Firm has always had a strong commitment to doing pro-bono work,” says Mark A. Hutchison, senior partner with the Firm. “Several partners expressed an interest in giving back more to the community and it was decided that this was the best way to focus those efforts. We are happy to be able to help Legal Aid and give back to the community at the same time.” ■

Actual resolution of legal issues depends upon many factors, including variations of fact and state laws. This newsletter is not intended to provide legal advice on specific subjects, but rather to provide insight into legal developments and issues. The reader should always consult with legal counsel before taking any action on matters covered by this newsletter. Nothing herein should be construed to create or offer the existence of an attorney-client relationship.