

Nev. attorneys want pot laws changed

By Chris Kudialis, Las Vegas Sun

Although Nevada law allows the sale and use of medical marijuana, attorneys in the state could soon face punishment for professional misconduct if they get involved in the business.

The Nevada Supreme Court is considering revising the rules of professional conduct for attorneys by adding a clause saying that the sale, use or possession of marijuana – even when allowed by state law – is prohibited by federal law and could result in misconduct actions. The court is seeking comments on the proposed addition and is scheduled to review it July 7 in Las Vegas.

“Marijuana is still considered an illegal substance under the feds,” explained Michael Sommermeyer, spokesman for the Nevada Supreme Court, “and federal law trumps state law.”

The hearing came about at the request of the State Bar of Nevada, “seeking guidance” from the court on the role of attorneys in the industry under its “Rule of Professional Conduct,” Sommermeyer said. It follows a 2014 comment on the same rule, which upheld Nevada attorneys’ right to provide counsel to clients in the industry.

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