



# Nevada Supreme Court Access to Justice Commission

**Date: Friday, March 9, 2012**

**Time: 9 am - noon**



## Three main video-conference locations\*

<b>Las Vegas</b> Regional Justice Center 17 <sup>th</sup> Floor, Conf. Rooms A&B 200 Lewis Ave., Las Vegas, 89101	<b>Carson City</b> Supreme Court Law Library Room #107 201 S. Carson Street, Carson City, 89701	<b>Reno</b> 2 <sup>nd</sup> Judicial District Court Grand Jury Room #220-B 75 Court Street, Reno, 89501
--	--	--

Conference Call: 1-877-594-8353 Passcode 35688281

AOC Main number: 775-684-1700

## AGENDA

1. **Opening comments from Co-Chairs**
2. **IOLTA and NLF**
  - a. Nevada Law Foundation Report
    - i. Organization structural changes
    - ii. Fundraising & Development
    - iii. IOLTA management expenses and projections
    - iv. Participating bank communications
      - a. Liaison outreach
      - b. Interest Rate
    - v. Colleagues Program
  - b. NLF monthly reports
  - c. State Bar IOLTA Compliance Review
3. **Statewide Legal Services Delivery**
  - a. Senior Law Programs
  - b. Rural Services Delivery
  - c. Funding cutbacks and anticipated program impact
4. **Legal Aid Providers Executive Directors Report**
5. **Statistics and Reporting**
  - a. Uniform Statewide Legal Aid Service Statistics
  - b. Rule 6.1 Mandatory Reporting to date
  - c. Draft model ATJC Annual Report
6. **Special Projects**
  - a. Public Speakers Bureau
  - b. Project Salute/veterans' programs
  - c. Gaming, Family Law, and Young Lawyer Section projects
  - d. Public Lawyers Pro bono Services Report
  - e. Emeritus Attorney Involvement
7. **Communications and marketing**
  - a. Introduction and remarks by new Commissioner Ira David Sternberg
  - b. Appoint new Communications working group
8. **Calendaring and important upcoming events**
  - a. Equal Justice Conference attendance (Florida, May 16-19)
  - b. State Bar Annual Convention/next Commission meeting
    - i. Pick meeting date: June 28 or 29
    - ii. Opportunities to attend other programming
    - iii. Pro Bono training session
  - c. Law Firm meetings
  - d. Pro Bono Week & statewide awards
  - e. Important upcoming events/Commission Calendar
9. **Other business & informational items**



# Nevada Supreme Court Access to Justice Commission

## Quarterly Meeting

**Date: Friday, October 14, 2011**

**Time: 1 pm- 4 pm**



### Three main video-conference locations and Elko

<b>Las Vegas</b> <b>Court Room, 17<sup>th</sup> Floor</b> <b>Regional Justice Center</b> 200 Lewis Ave., Las Vegas, 89101	<b>Carson City</b> <b>Court Room</b> <b>Supreme Court Building</b> <b>201 S. Carson Street, Carson City,</b> <b>89701</b>	<b>Reno</b> <b>Large Conference Room, #214</b> <b>2<sup>nd</sup> Judicial District Court</b> 75 Court Street, Reno, 89501
--	---	--

### Draft Minutes

#### Commission members in attendance:

Justice Michael Douglas      Co-Chair  
 Justice James Hardesty      Co-Chair

Kushnir	Melanie	designate
Traum	Professor Anne	designate
Perlick	Jessica	(PILA designate)
Barker	Hon. David	
Cooney	Valerie	
Elcano	Paul	
Johnson	Anna	
Kandt	W. Brett	
Nielsen	Ernie	
Steinhiemer	Hon. Connie	
Sullivan	Hon. Frank	
Hatch	Elena	For Sheri Cane Vogel, Senior Law Project
Marzec	Kristina	Staff: Access to Justice Commission Director

#### Non-voting invitees/guests in attendance:

Ackridge	Connie	President, State Bar of Nevada
Buckley	Barbara	Executive Director, Legal Aid Center of Southern Nevada)
Farmer	Kimberly	Executive Director, State Bar of Nevada
Goldsmith	Dara	President, Nevada Law Foundation (by telephone)
Hancock	Emily	WSP Attorney (social security and guardianships)
Mckelvey	Kim	ALPS Foundation services (by telephone)
Flaherty	Keegan	ALPS Foundation services (by telephone)
Raam	Sally	Division of Aging Services
Saunders	Casey	VARN Pro Bono Director

#### Excused absence

Hon. Judge Doherty did not attend due to a death in her family.

## **Call to Order**

Justice Douglas and Justice Hardesty called the meeting to order at 1:25 pm.

## **Legal Aid Provider Updates**

Nevada Legal Services issues of interest included training of tribal court advocates, ongoing repercussions from congressional budget unrest resulting in slow incremental cuts to LSC, and the loss of HUD funding.

Volunteer Attorneys For Rural Nevadans noted some funding source declines in filing fees and loss of NLS money for shared administration of the pro bono project (about an 8 % budget loss). Grant sources are otherwise constant with the exception of a new VAWA grant specific to rurals-a new program for immigrant victims which includes self-petition EURISA filings and eventual citizenship. Expectation is to keep existing staff, add more to work load, expand substantive areas, maintain or modify the pro bono program, and continue Lawyer in the Library (2 days a month 5-8 pm).

The City of Las Vegas Senior Law Program reports lost funding. The City is asking the program to form a 501(c)3. Pro bono assistance is in place for the new board and formation of the non-profit, with 75% of the budget already in place through grants. The project expects to maintain current caseload and can do so for two years with current funding before any new fundraising efforts. Transition would be transparent to clients. It was noted that part of this process also includes discussions with LACSN for a potential merger as an alternative to forming a new non-profit, and the two organizations are exchanging in ongoing good faith discussions to explore that option as well.

Ernie Nielsen noted he is retiring on December 31 and that Emily Hancock will be taking over his position. The Washoe Senior Law Project is part of county reduction in funding and the project is doing the same work as in the past. As of year-end, the project will lose county funds (approximately 85,000). The project is planning on additional workshops in consumer and foreclosure mediation. There is a concern about guardianship where the project represents opposed wards of state. With the loss of tobacco money coming soon, this service will need rigorous efforts. There is currently four staff for foreclosure, with the expectation that after March funding will be an issue when HUD and national foreclosure litigation funds will be ending. There could be another 10% cut to the county generally, and if that happens, all county money goes away from the project. As such, there is uncertainty about operations after July 2012.

The Commission asked if layoffs were expected in 2012:

NLS-15 lawyers on staff, will lay off two.

VARN- should maintain current staff of four lawyers. If not, will have to reorganize.

Las Vegas Senior Law Project- Three f/t, two p/t, no lay offs.

Washoe Senior Law Project- Two attorneys, one after Ernie retires.

Washoe Legal Services- Ten functional equivalent lawyers. No layoffs, but waited to fill trail advocacy positions for a few months and likely not filling positions if staff leave.

LACN- 60 staff 27 attorneys. No plans for any layoffs. Funds from AB 259 will come in on Oct 15 and the hope is to level off other funding deficits. There is concern about the LAV grant. LACSN may not fill vacated positions if they occur.

## **IOLTA & NLF**

The NLF reported IOLTA administration costs through August are about \$70,000. Complete breakdown will be available by November.

Clarification was provided on the new NLF Board policy regarding a 25% accounting accrual for grant allocations, which will accrue from Q4 and Q1-3, with total amount minus expenses available for allocation of grants. The 25% is simply an accounting function identified by a CPA on the NLF Board. Rather than suddenly doing a grant line item, those funds should be accrued all year long with a grants payable item that is accumulating purely as an accounting function. This doesn't change the grant procedure or amount that will be available to *actually pay out* at all.

The reserve is at 40% of amount granted last year, with no new money put in reserve. The Board will have to weigh if they put any additional reserve funds this year.

The Commission asked that the NLF Board address the following:

- 1- Position regarding the legal aid providers proffered pro rata division of IOLTA among themselves
- 2- Extent and nature of unrestricted funding
- 3- Contact existing colleagues to explore understanding of use of funds toward an endowment, and ask if previously donated funds were identified or understood to be restricted.

The NLF reported that the only permanently restricted funds are colleague moneys totaling \$514,446. Board designated \$656,000 at end of last year as unrestricted reserves. A subcommittee has been appointed to research the colleague program. The NLF auditors opined to the Board that the endowment interest is permanently restricted. In response to Commission discussion, ALPS noted there is a reasonable argument either way based on documentation (or lack thereof).

The next NLF Board meeting is set for November 8, 2011.

The Commission discussed reserve policy and the NLF noted the policy would be explored further through its grants and finance committee. The NLF Board is concerned that average daily deposits and interest rates in general are down, and is therefore exercising caution regarding going into reserve at this juncture.

#### **Flat interest rate recommendation**

Upon being advised by the NLF that it had received no requests from any participating bank to lower the fixed IOLTA interest rate, and, that the only concern communicated was that the Commission not *raise* the rate, the Commission discussed committing to keeping the rate no higher than .75 for 2012. Based on the twice a year review set forth in SCR 217, the Commission agreed that while it had no intent to *raise* the rate in 2012 and that could be communicated from the Commission's perspective, for the purposes of review the rate will be set through June.

**MOTION made and carried to maintain the IOLTA interest rate at .75 APY through June 2012.**

ALPS agreed to relay that information to the NLF liaisons for communication to participating bank partners. The Commission also requested that the NLF follow up on 2009 Silver Ball pledges for cash and time.

#### **IOLTA compliance**

The State Bar IOLTA compliance is now complete and all members who had a reporting discrepancy have filed new forms or otherwise rectified their accounts. Whereas members will be required to report account information again with 2012 dues in two months, follow up to ensure changes are completed will be effected through the second annual compliance review in March 2012. The process is anticipated to be much streamlined through new forms, reports, and processes developed from the lessons learned the first year.

## **Commission goals**

The Commission noted it has done a better job of statewide support and using attorney bar journals. Efforts should be made in 2012 to improve marketing and education to the general public. Banks are also interested in what the Bar is doing to support pro bono efforts.

Justice Hardesty requested careful education for a statewide communication plan and proposed an active speakers bureau. Providers were asked how often they are asked to make presentations to service organizations (legal aid providers). NLS reported frequent speaking requests for teachers and school administrators and chambers of commerce, which the NLS does at least once per month. VARN speaks to local groups, including juvenile groups like boy scouts, developing awareness on domestic violence issues. Legal Aid Center has a robust speakers program including local judges, community partners, and law firms, going out several times a month.

**Motion made and carried to activate a speakers bureau.** Judge Sullivan to chair efforts of a working group to include Legal Aid Center, VARN, NLS, the Commission co-chairs, the State Bar, and any other interested parties with support from Commission staff. The goal is to coordinate with a larger effort with the general bar. The Board of Governors is aware and supportive of the Commission's efforts and has this as a generative item for the coming year.

Mentoring and pro bono training was identified as a strong component of outreach to encourage pro bono participation in the coming year. Law Day and Pro Bono week to be more fully utilized and expanded in outreach.

**Statewide Fundraising** identified as a top three action item for 2012. Reinvigoration of statewide events is needed to reinstitute this initiative. ALPS noted the NLF fund development committee sent a recommendation to its Board to hire a fundraising person and is hoping to sell the building to get some funding for that purpose. The Commission noted pro bono fundraising help should be explored as well.

## **Commission appointments**

**Motion made and carried to appoint designates Melanie Kushnir, Professor Anne Traum, Jessica Perlick, and Ira David Sternberg.**

## **Pro Bono Week**

The Commission reviewed the pro bono week schedule of events and press release, and encouraged attendance at as many events as possible. Justice Hardesty will attend the legal aid fairs in the north and contact the media in that area to ensure media coverage of the fairs. Scott Rodder has secured press attention and coverage in the South.

## **Public Benefits Report**

Kristina Marzec presented an overview of the Public Benefits Working Group report included in the agenda in Judge Doherty's absence. The Judge will follow up with the Commission next meeting. It was noted that **DFS** is looking at a small pilot program with Mohave Mental Health Services. Judge Sullivan reported that he is having difficulty obtaining from Medicaid a list of children on psychotropic meds. A major issue nationally, improperly and overmedicated children in foster care is a very serious concern in Nevada. NLS noted for children not in foster care, the problem is children being denied services. They are not being denied incorrectly, rather the services aren't there anymore.

## **Self Help Centers**

The 8<sup>th</sup> Judicial District Self Help Center reports were reviewed and discussed. The center continues to enjoy 95% user satisfaction ratings, high volume service, and very positive reviews from the bench and bar. The status of the 2<sup>nd</sup> Judicial District self-help center remains uncertain. The most recent update the Commission had was that the center was being combined with the law library, along with the hiring of the new law librarian (as a result of existing staff retiring). Justice Hardesty advised he would discuss with Judge Steinheimer to get an updated status and inquire if the Commission can be of assistance.

## **Transition Into Practice (TIP) Program**

The State Bar reported this new mentor program, which is replacing Bridge the Gap on a pilot basis, is currently under development, scheduled to roll out pending Court approval. The organization and substance is flexible. There is an elective and mandatory component, which can be reviewed in the extensive filings made to the Court. Ultimately the program will run two cycles a year to coincide with the bar exams.

Barbara Buckley noted it would be very helpful to have a mandatory pro bono component. Justice Hardesty confirmed that request was incorporated to the Board of Governors from the public hearing on the ADKT. The Bar confirmed there is a planning committee still working on the three mandatory modules.

## **Public Lawyer Participation in Pro Bono**

Brett Kandt, Chair of the Public Lawyers Section, reported that the section comprises both civil government attorneys and prosecutors. The Section did a CLE with Justice Hardesty focusing on Rule 6.1 to create a better understanding of what activities fall within the scope of the rule. The goal is to improve on under-reporting of existing volunteerism and increase new active participation. Thus far the section hasn't done an empirical analysis. The section should continue to do this CLE at other annual meetings and make sure those activities are being actively reported. Brett noted there are 270 attorneys in the section, but many more who would qualify as public lawyers.

## **Report**

Justice Hardesty directed Kristina to work with Brett and determine if the State Bar can run a report of all public lawyers (to the best of our abilities to define and identify the same within the State Bar database), to include if possible the pro bono services reported for each under Rule 6.1 as of the most recently complete reporting period, and provide at the next Commission meeting.

## **Court Interpreters/LEP (Limited English Proficiency) DOJ Opinion**

The Commission was asked to discuss the ongoing challenges statewide in providing court interpreters to indigent LEP litigants, referencing a recent DOJ opinion that courts should be providing interpreters to LEP parties at the Courts' expense. Justice Douglas reported the Supreme Court has formed a subcommittee from language assistance services. The topic is also being investigated with the conference of chief justices with regard to the unequal treatment between state and federal courts on the civil side. In essence the federal court allows a sliding scale of eligibility and also defines what type of action is covered, despite the law being exactly the same and not providing for the diverging standards between federal and state application. There are ongoing efforts to have a statewide plan to address this problem. The Nevada Supreme Court also recently issued a decision providing a relative can act as interpreter for proceedings that are not in court.

VARN reported in the rurals they have been told to bring their own interpreter or hire one out of Reno to drive out. The DOJ opinion letter has had no impact. NLS noted the courts in indian jurisdictions here are also experiencing huge obstacles. LACSN noted they have LEP clients being told they have to go to mediation even if they can't afford the interpreter.

Anne Traum asked if law students could present a report on the shackling of juveniles in civil proceedings. The Justices noted that was fine and that they would further discuss with the professor to identify the best avenue to raise this concern.

**Next Commission Meetings**

The Commission will plan on having four meetings in 2012. Kristina will circulate dates for February.

**Adjourned 4:30 p.m.**

# **SECTION BREAK**



# Memorandum

**To: Access to Justice Commission and State Bar of Nevada**

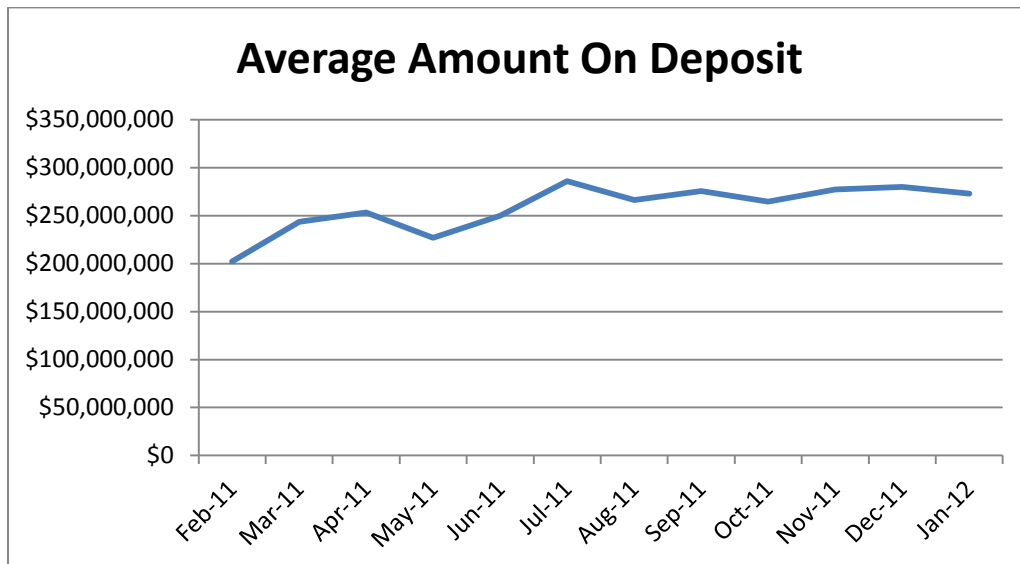
**From: Nevada Law Foundation**

**Date: February 29, 2012**

**Re: UPDATE on Issues Related to Supreme Court Rule 217**

## I. IOLTA at-a-glance

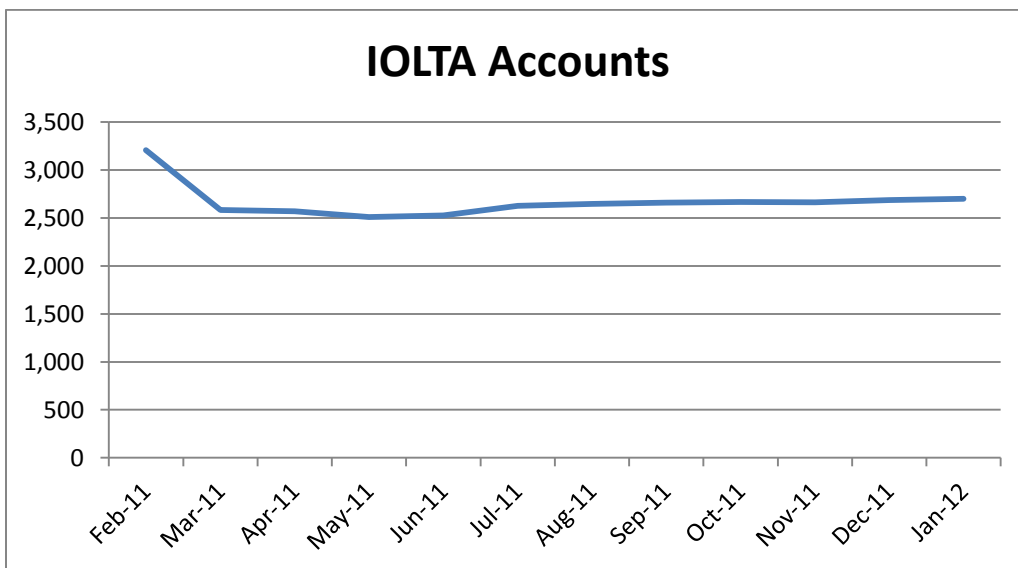
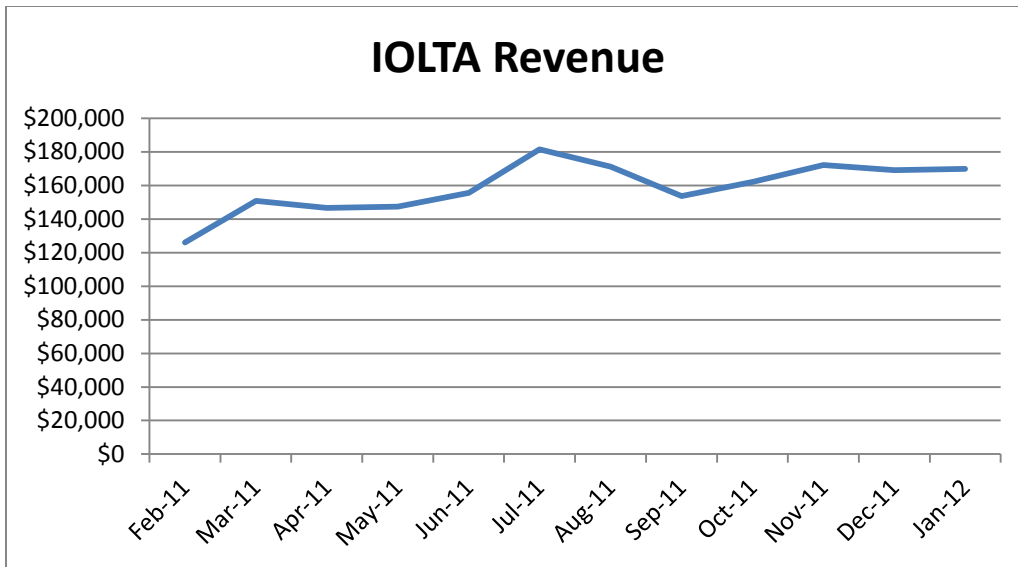
	2012
Total number of IOLTAs <sup>1</sup>	2,698
Average amount on deposit <sup>2</sup>	\$273,020,166
Total reported interest accrued <sup>3</sup>	\$169,753
Year-to-date remittance	\$169,753



<sup>1</sup> Number of IOLTAs reported by financial institutions meeting the requirements set forth in Rule 217.

<sup>2</sup> Average amount on deposit reported by financial institutions meeting the requirements set forth in Rule 217.

<sup>3</sup> Formula: average amount on deposit \* .0075 \* number of days in month / 365 = remittance



## II. Financial institutions meeting requirements set forth in Rule 217

### A. Financial Institutions with *greater than 25 IOLTAs*

Financial Institution	Accounts	Interest rate	Average amount on deposit	IOLTA remittance <sup>4</sup>
Bank of America <sup>5</sup>	541	0.750	\$34,897,412.97	\$22,226.99
Bank of George	28	0.750	\$6,390,797.84	\$4,072.20
Bank of Nevada	302	0.750	\$53,991,395.36	\$35,493.61
Bank of the West	44	1.200	\$5,287,036.97	\$3,992.73
Citibank	53	0.750	\$2,209,849.10	\$1,280.90
City National Bank	91	0.750	\$18,915,055.00	\$12,437.22
First Independent Bank of Nevada	29	0.750	\$4,659,471.27	\$3,065.54
Heritage Bank	30	0.750	\$4,592,795.80	\$3,018.58
Nevada State Bank	430	0.750	\$41,921,390.84	\$25,067.90
U.S. Bank	244	0.750	\$12,384,775.40	\$7,083.81
Wells Fargo	811	0.750	\$66,676,414.34	\$38,355.17
	2603		\$251,926,394.89	\$156,094.65

### B. Financial institutions with *fewer than 25 IOLTAs*<sup>6</sup>

Financial Institution	Accounts	Interest rate	Average amount on deposit	IOLTA remittance
Financial Horizons Credit Union <sup>7</sup>	1	0.300		
First Savings Bank	2	0.750		
First Security Bank of Nevada	10	0.750		
M & I Bank	3	0.747		
Meadows Bank	12	0.750		
Mutual of Omaha Bank	24	0.750		
Nevada Bank & Trust	3	1.250		
Northern Trust Bank, FSB	3	0.743		
Plaza Bank	4	0.750		
Service First Bank of Nevada	18	0.750		
Silver State Schools Credit Union	4	1.250		
Umpqua Bank	7	0.750		
Valley Bank of Nevada <sup>8</sup>	5	0.650		
<b>TOTAL</b>	<b>95</b>		<b>\$21,093,771.13</b>	<b>\$13,522.33</b>

<sup>4</sup> Monthly revenue should not be used to project income, as IOLTA revenue has the ability to significantly fluctuate from month-to-month.

<sup>5</sup> An attorney has reported that Bank of America is charging fees; however reports do not indicate any fees being charged to customers. NLF has contacted Steve McCracken, Bank of America Vice President, but has yet to connect.

<sup>6</sup> NLF does not report IOLTA remittance or average amount on deposit for financial institutions with fewer than twenty-five IOLTAs to maintain attorney-client and financial institution-attorney confidentiality.

<sup>7</sup> Member or member's law firm does not maintain an office within twenty miles of a financial institution meeting Rule 217 requirements.

<sup>8</sup> NLF contacted Valley Bank of Nevada, which was paying .25% on one account. Valley Bank of Nevada has assured NLF that the interest rate of .25% was changed to .75%.

### **III. Financial institutions *not* meeting requirements set forth in Rule 217**

#### **A. JP Morgan Chase Bank**

- Number of accounts: 56
- Interest rate: .16
- Average amount on deposit: not reported in the aggregate
- IOLTA remittance: \$89.96
- Update: This financial institution has indicated it will not meet requirements set forth in SCR 217. All but 16 attorneys have reported moving their accounts from JP Morgan Chase Bank. Seventeen IOLTAs at JP Morgan Chase Bank hold a zero balance.

#### **B. Royal Business Bank**

- Number of accounts: 3
- Interest rate: .25
- Average amount on deposit: \$146,589.09
- IOLTA remittance: \$46.02
- Update: First Asian Bank was acquired by Royal Business Bank in November and lowered its interest rates on IOLTAs. NLF has contacted the Royal Business Bank by phone and email, but Royal Business Bank has not returned phone calls or emails.

### **IV. NLF fund development**

The NLF Board of Trustees will review an extensive resource development plan at the March 7, 2012 Board meeting.

### **V. Colleague program**

On February 16, 2012, 159 letters were sent to NLF Colleagues allowing them to release the restriction on their Colleague contribution. Thus far, six Colleagues have elected to keep their contributions in an endowed fund and twenty-one Colleagues have elected to release the restrictions on their contributions.

### **VI. Reserve policy**

The Board of Trustees discussed the current NLF reserve policy at the January 24, 2012 Board meeting. As a result of the discussion, the Finance Committee will develop a reserve policy purpose statement to be presented to the Board of Trustees on March 7, 2012.

### **VII. NLF IOLTA Committee activities**

IOLTA Committee members include Lee Roberts (Co-Chair), Trevor Atkin (Co-Chair), Sarah Guindy, David McElhinney, and Teddy Parker.

*IOLTA Committee Stewardship Activities accomplished in February:*

- Drafting article to submit to *Nevada Lawyer* on March 16<sup>th</sup> for May publication
- IOLTA Committee Co-Chairs sent letter to IOLTA Institution leadership with highlights from yearend grantee reports

# Memorandum

**To: Access to Justice Commission and State Bar of Nevada**  
**From: Nevada Law Foundation**  
**Date: January 31, 3012**

**Re: UPDATE on Issues Related to Supreme Court Rule 217**

## **I. December 2011 IOLTA at-a-glance**

- Number of financial institutions meeting Rule 217 requirements: 25
- Total number of IOLTAs<sup>1</sup>: 2684
- Average amount on deposit total<sup>2</sup>: \$279,787,600
- Total reported interest accrued in December: \$169,057
- In 2011, the IOLTA program earned \$1,881,883 in IOLTA revenue; 2010 IOLTA revenue earnings were \$1,734,806.

## **II. Financial institutions meeting requirements set forth in Rule 217<sup>3</sup>**

Financial institution with *greater than 25 IOLTAs*

<b>Financial Institution</b>	<b>Accounts</b>	<b>Interest rate</b>	<b>Average amount on deposit</b>	<b>IOLTA remittance<sup>4</sup></b>
Bank of America <sup>5</sup>	536	0.750	\$28,245,573.38	\$17,951.15
Bank of George	29	0.750	\$5,625,479.99	\$3,584.25
Bank of Nevada	302	0.750	\$56,384,271.49	\$34,629.07
Bank of the West	43	1.040	\$4,376,293.39	\$3,578.90
Citibank	49	0.750	\$2,066,106.08	\$1,245.90
City National Bank	89	0.750	\$21,345,539.00	\$13,159.46
First Independent Bank of Nevada	29	0.750	\$4,794,218.63	\$2,956.20
Heritage Bank	29	0.750	\$4,994,134.41	\$3,078.70
Nevada State Bank	426	0.750	\$42,541,567.28	\$25,760.13
U.S. Bank	240	0.750	\$12,949,879.08	\$7,398.74
Wells Fargo	813	0.750	\$69,594,199.91	\$38,582.98
<b>Total</b>	<b>2585</b>		<b>\$252,917,262.64</b>	<b>\$151,925.48</b>

<sup>1</sup> Number of IOLTAs reported by financial institutions. Number does not include IOLTAs reported by JP Morgan Chase Bank.

<sup>2</sup> Number does not include average amounts on deposit at JP Morgan Chase Bank. Formula: average amount on deposit x .0075 x number of days in month / 365 = remittance

<sup>3</sup> The Supreme Court requires the following components for financial institutions to meet the requirements of Rule 217:

1. Financial institution is authorized by federal or state law to do business in Nevada, located in Nevada and insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation, or other financial institution approved by the State Bar pursuant to Rule 78.5.
2. Financial institution meets one of the minimum standards for interest rate paid on IOLTAs. The flat rate in Rule 217(2)(c) is .75%.
3. Financial institutions transmit a report with each remittance in an electronic format to be specified by the designated tax-exempt foundation.
4. IOLTAs are exempt from service charges or fees.

<sup>4</sup> Monthly revenue should not be used to project income, as IOLTA revenue has the ability to significantly fluctuate from month-to-month.

<sup>5</sup> An attorney has reported that Bank of America is charging fees, however reports do not indicate any fees being charged to customers. NLF has contacted Steve McCracken, Bank of America Vice President, but have yet to connect.

Financial institutions with fewer than 25 IOLTAs<sup>6</sup>

Financial Institution	Accounts	Interest rate	Average amount on deposit	IOLTA remittance
Financial Horizons Credit Union <sup>7</sup>	1	0.300		
First Savings Bank	2	0.750		
First Security Bank of Nevada	10	0.750		
M & I Bank	3	0.747		
Meadows Bank	12	0.750		
Mutual of Omaha Bank	24	0.750		
Nevada Bank & Trust	3	1.250		
Northern Trust Bank, FSB	3	0.743		
Plaza Bank	3	0.750		
Royal Business Bank	3	0.250		
Service First Bank of Nevada	17	0.750		
Silver State Schools Credit Union	3	1.250		
Umpqua Bank	7	0.750		
Valley Bank of Nevada	5	0.750		
<b>TOTAL</b>	<b>96</b>		<b>\$26,870,337.33</b>	<b>\$16,960.41</b>

### III. Financial institutions *not* meeting requirements set forth in Rule 217

The following financial institutions are not meeting requirements set forth in Rule 217:

*JP Morgan Chase Bank*

- Number of accounts: 63<sup>8</sup>
- Interest rate: .16<sup>9</sup>
- Average amount on deposit: not reported in the aggregate
- December IOLTA remittance: \$120.30
- Update: This financial institution has indicated it will not meet requirements set forth in SCR 217. All but 16 attorneys have reported moving their accounts from JP Morgan Chase Bank. Seventeen IOLTAs at JP Morgan Chase Bank hold a zero balance.<sup>10</sup>

*Royal Business Bank*

- Number of accounts: 3
- Interest rate: .25
- December average amount on deposit: \$272,687
- December IOLTA remittance: \$50.32
- Update: First Asian Bank was acquired by Royal Business Bank in November and lowered its interest rates on IOLTAs. NLF has contacted the Royal Business Bank by phone and email, but Royal Business Bank has not returned phone calls or emails.

<sup>6</sup> NLF does not report IOLTA remittance or average amount on deposit for financial institutions with fewer than twenty-five IOLTAs to maintain attorney-client and financial institution-attorney confidentiality.

<sup>7</sup> Member or member's law firm does not maintain an office within 20 miles of a financial institution meeting Rule 217 requirements.

<sup>8</sup> November data.

<sup>9</sup> November data

<sup>10</sup> November data

#### **IV. NLF fund development**

On January 24, 2012 the NLF Board of Trustees amended the NLF Bylaws to add a Resource Development Chair to the Executive Committee. Garth Winckler was appointed by Dara Goldsmith, Chairperson, as the Resource Development Chair. In addition, the Board of Trustees approved hiring a part-time Resource Development Manager to assist NLF in resource development efforts.

#### **V. Colleague Program**

In reviewing the Colleague solicitation and agreements, external auditors have deemed the Colleague Program monies limited to be used for the creation and funding of an endowment. At the January 24, 2012 Board meeting, the NLF Board of Trustees approved sending a letter to NLF Colleagues allowing them to release the restriction.

#### **VI. Reserve policy**

The Board of Trustees discussed the current NLF reserve policy at the January 24, 2012 Board meeting. As a result of the discussion, the Finance Committee will develop a reserve policy purpose statement to be presented to the Board of Trustees on March 7, 2012.

#### **VII. NLF IOLTA Committee activities**

IOLTA Committee members include Lee Roberts (Co-Chair), Trevor Atkin (Co-Chair), Sarah Guindy, David McElhinney, and Teddy Parker.

The IOLTA Committee met in January to develop the 2012 IOLTA Financial Institution Stewardship Plan. The following plan was adopted by the Board of Trustees on January 24, 2012:

#### **2012 IOLTA Institution Stewardship Plan**

##### ***Purpose***

The purpose of the Nevada Law Foundation IOLTA Institution Stewardship Plan (“Stewardship Plan”) is to develop a Nevada Law Foundation (NLF) program of activities to educate and steward current and potential IOLTA-holding Nevada financial institutions (“IOLTA Institutions”) about the impact of IOLTA funds in Nevada.

##### ***Stewardship Plan for IOLTA Institutions Meeting Rule 217 Requirements***

Each IOLTA Institution will be assigned a member of the Board of Trustees who will serve as the primary contact and liaison with IOLTA Institution leadership. At present, liaisons have been assigned to the following IOLTA Institutions:

- Bank of America: Trevor Atkin
- Bank of George: Dara Goldsmith
- Bank of Nevada: David Dahan

- Bank of the West: Sarah Guindy
- Citibank: Laura Fitzsimmons
- City National Bank: Sarah Guindy
- Financial Horizons Credit Union: David McElhinney
- First Asian Bank: Laura Fitzsimmons
- First Independent Bank of Nevada: Sarah Guindy
- First Savings Bank: Noel Anschutz
- First Security Bank of Nevada: Eliessa LaVelle
- Heritage Bank : Nicole Lamboley
- M & I Bank: Noel Anschutz
- Meadows Bank: Laura Fitzsimmons
- MidCountry Bank: Dara Goldsmith
- Mutual of Omaha: Sarah Guindy
- Nevada Bank & Trust: Julie Cavanaugh-Bill
- Nevada State Bank: Trevor Atkin
- Northern Trust Bank: Dara Goldsmith
- Plaza Bank : Sharon McNair
- Service First Bank of Nevada: Sarah Guindy
- Silver State School Credit Union: Nicole Lamboley
- US Bank: Eliessa LaVelle
- Umpqua Bank: Nicole Lamboley
- Valley Bank of Nevada: Sharon McNair
- Wachovia/Wells Fargo: Trevor Atkin

### *Calendar of Activities*

Month	Task	Responsible Party
January	Review IOLTA Institution liaison assignments	IOLTA Committee / Board of Trustees
	Send 2012 Stewardship Plan to Access to Justice Commission with feedback opportunity	ALPS F.S.
February	E-mail to IOLTA Institution leadership	IOLTA Co-Chairs
	Write Nevada Lawyer article highlighting IOLTA Institutions and 2012 grant awards	Trustee // IOLTA Committee to review
March	Email interesting information from ABA IOLTA annual meeting to IOLTA Institution leadership	IOLTA Co-Chairs
	Email Nevada Lawyer article to IOLTA Institution leaders; offer to meet face-to-face	Liaisons
	Determine event for IOLTA Institution leadership to in the Fall	IOLTA Committee
April	E-mail to IOLTA Institution leadership	IOLTA Co-Chairs
	Create document for State Bar of Nevada Annual Meeting packets highlighting IOLTA institutions meeting the requirements set forth in	ALPS F.S. // IOLTA Committee to review



	Rule 217	
May	Email document created for State Bar of Nevada Annual Meeting packets to IOLTA Institution leadership; offer to meet face-to-face	Liaisons
June	Email highlighting grantee reports to IOLTA Institution leadership	IOLTA Co-Chairs
	Procure sponsorship from law firm to sponsor tables at Fall event chosen in March	IOLTA Committee
July	Write <i>Nevada Lawyer</i> article about IOLTA importance	ALPS F.S. // IOLTA Committee to review
	Letter from grantees to IOLTA Institution leaders thanking IOLTA Institution for meeting requirements set forth in Rule 217	Grantees
August	Email article published in <i>Nevada Lawyer</i> to IOLTA Institution leaders; offer to meet face-to-face	Liaisons
September	Email interesting information from ABA IOLTA annual meeting	Liaisons
October	Email to IOLTA Institution leaders highlighting 2013 grant process	IOLTA Co-Chairs
	Invite IOLTA Institution leaders to event chosen in March	Liaisons
December	Holiday thank you to IOLTA Financial Institutions and highlight 2013 grantee awards	IOLTA Co-Chairs

### VIII. Board of Trustees

On January 24, 2012 NLF Board of Trustees changed the NLF Bylaws to allow between eleven (11) and twenty-one (21) Trustees rather than requiring twenty-one Trustees. As a result of this change, NLF will file an ADKT with the Nevada Supreme Court to amend Rule 216.

The Board of Trustees also recently approved an attendance policy requiring Board members to attend all Board meetings and meetings of committees of which they are members, and setting minimal attendance requirements.

## Memorandum

**To: Access to Justice Commission and State Bar of Nevada**

**From: Nevada Law Foundation**

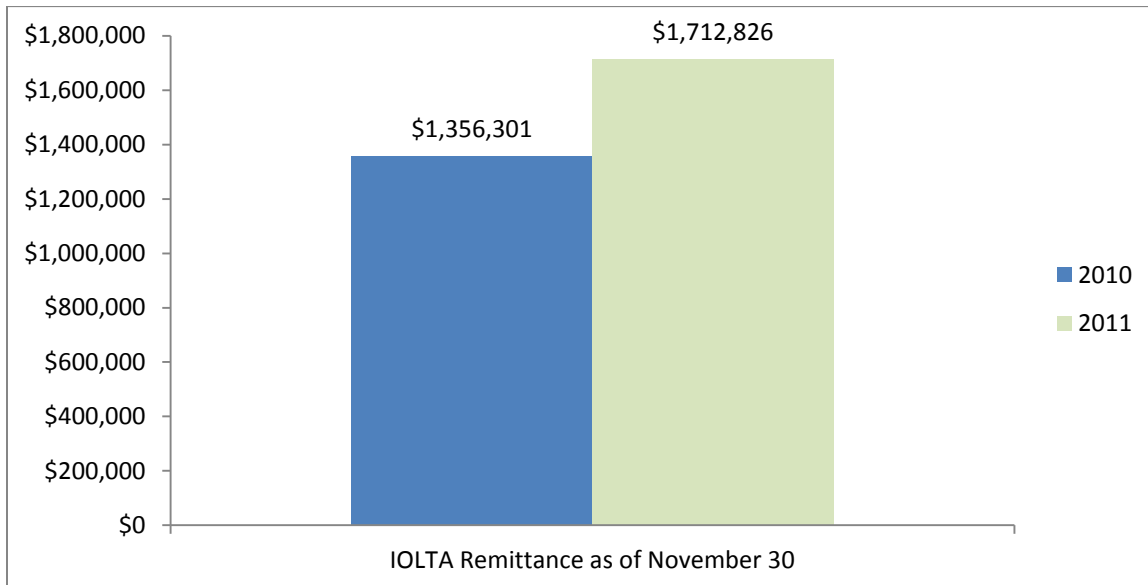
**Date: January 10, 2012**

**Re: 2010 and 2011 IOLTA comparison as of November 30, 2011**

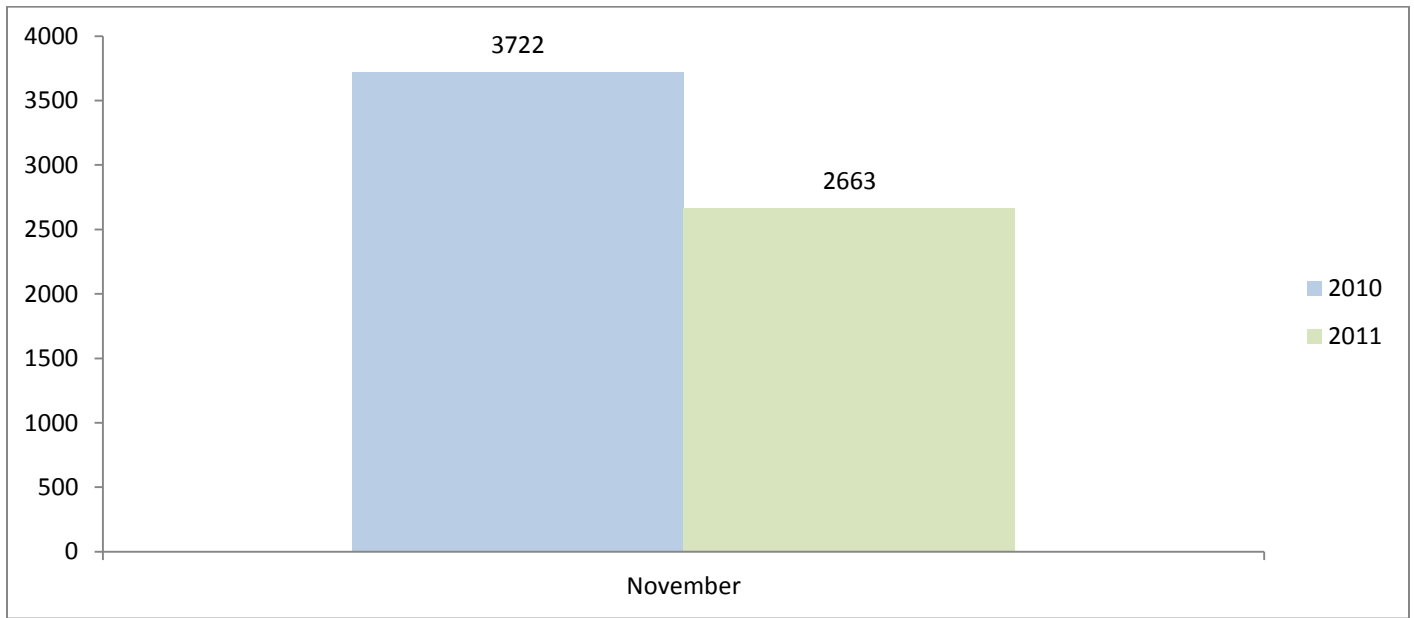
Below are several graphs to allow the comparison of November 2010 IOLTA data to November 2011 IOLTA data. A few important notes to remember when comparing data:

- On December 16, 2009, the Supreme Court of Nevada amended the interest rate requirement in Supreme Court Rule 217 (SCR 217).
- On September 3, 2010, SCR 217 reporting requirements were amended. These amendments included that financial institutions report *monthly* and electronically.
- On December 1, 2010, SCR 217 flat interest rate was reduced from 1.2% to .75%.

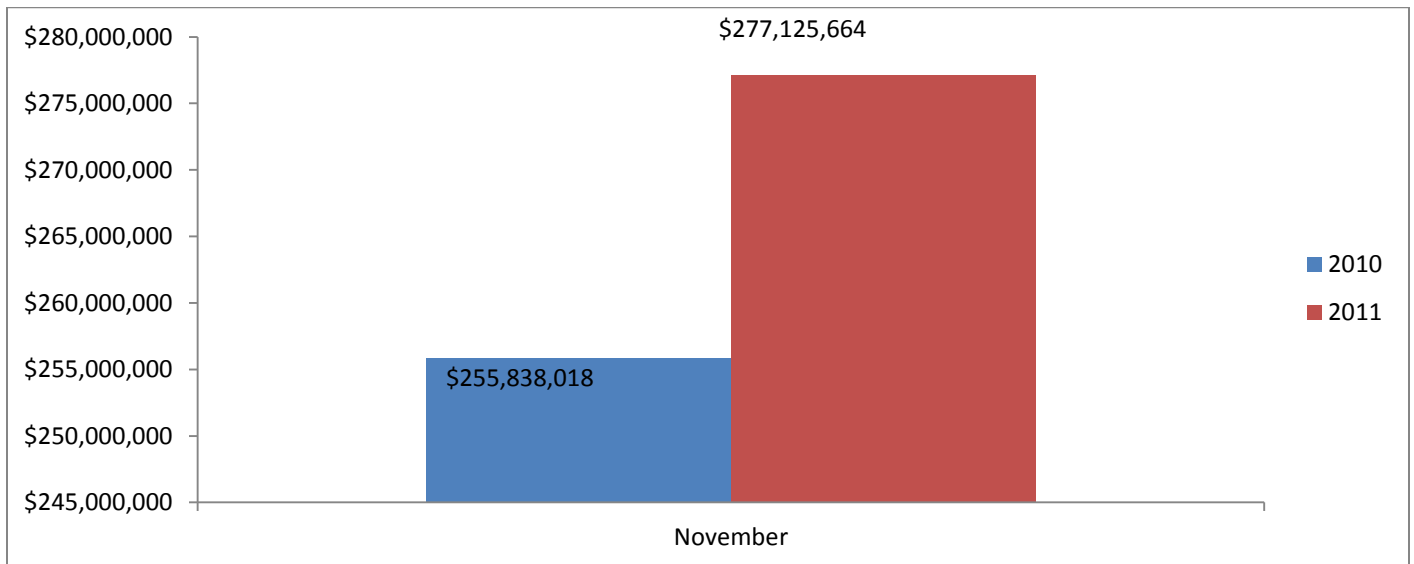
*Figure 1 IOLTA Remittance*



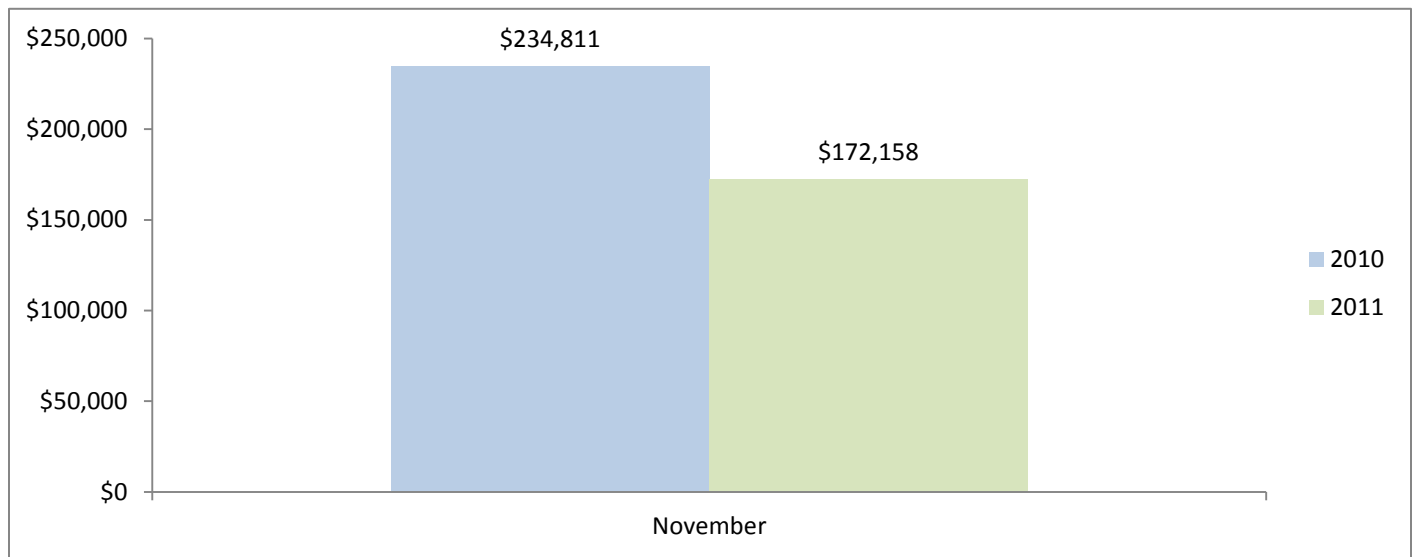
*Figure 2 Number of Accounts*



*Figure 3 Average Amount on Deposit*



*Figure 4 IOLTA Remittance*



# Memorandum

**To: Access to Justice Commission and State Bar of Nevada**  
**From: Nevada Law Foundation**  
**Date: December 30, 2011**

**Re: UPDATE on Issues Related to Supreme Court Rule 217**

## I. November IOLTA at-a-glance

- Number of financial institutions meeting Rule 217 requirements: 26<sup>1</sup>
- Total number of IOLTAs<sup>2</sup>: 2,663
- Average amount on deposit total<sup>3</sup>: \$277,125,664
- Total reported interest accrued in November: \$172,158<sup>4</sup>
- Year-to-date remittance (January through November): \$1,712,826

## II. Financial institutions meeting requirements set forth in Rule 217<sup>5</sup>

<b>Financial Institutions with greater than 25 IOLTAs</b>	<b>Accounts</b>	<b>Interest rate</b>	<b>Average amount on deposit</b>	<b>IOLTA remittance<sup>6</sup></b>
Bank of America	535	0.750	\$27,511,592.45	\$16,951.91
Bank of George	29	0.750	\$7,148,376.40	\$4,407.81
Bank of Nevada	302	0.750	\$63,115,099.52	\$38,790.32
Bank of the West	43	1.120	\$4,029,842.92	\$3,116.85
Citibank	43	0.750	\$873,099.63	\$486.15
City National Bank	87	0.750	\$22,616,790.00	\$13,944.43
First Independent Bank of NV	29	0.750	\$51,056,63.78	\$3,147.26
Heritage Bank	29	0.750	\$4,833,336.72	\$3,032.14
Nevada State Bank	423	0.750	\$40,206,992.26	\$24,400.51
U.S. Bank	240	0.750	\$12,583,208.70	\$13,966.74
Wells Fargo	811	0.750	\$66,519,307.34	\$35,789.56
<b>11 Total</b>	<b>2571</b>		<b>\$254,543,309.72</b>	<b>\$158,033.68</b>

<sup>1</sup>Twenty-six financial institutions are meeting all reporting and interest rate requirements set forth in Rule 217. Financial Horizons Credit Union is not meeting the interest rate requirements in Rule 217.2, but is not required to do so (see FN 7). Number does not include JP Morgan Chase Bank (see FN 8).

<sup>2</sup>Number of IOLTAs reported by financial institutions. Number does not include IOLTAs reported by JP Morgan Chase Bank.

<sup>3</sup>Number does not include average amounts on deposit at JP Morgan Chase Bank. Formula: average amount on deposit \* .0075 \* number of days in month / 365 = remittance

<sup>4</sup>Number does not include JP Morgan Chase Bank (see FN 7).

<sup>5</sup>The Supreme Court requires the following components for financial institutions to meet the requirements of Rule 217:

1. Financial institution is authorized by federal or state law to do business in Nevada, located in Nevada and insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation, or other financial institution approved by the State Bar pursuant to Rule 78.5.
2. Financial institution meets one of the minimum standards for interest rate paid on IOLTAs. The flat rate in Rule 217(2)(c) is .75%.
3. Financial institutions transmit a report with each remittance in an electronic format to be specified by the designated tax-exempt foundation.
4. IOLTAs are exempt from service charges or fees.

<sup>6</sup>Monthly revenue should not be used to project income, as IOLTA revenue has the ability to significantly fluctuate from month-to-month.

<b>Financial institutions with <i>fewer than 25 IOLTAs</i><sup>7</sup></b>	<b>Accounts</b>	<b>Interest rate</b>	<b>Average amount on deposit</b>	<b>IOLTA remittance</b>
Financial Horizons Credit Union <sup>8</sup>	1	0.399		
First Savings Bank	2	0.750		
First Security Bank of Nevada	9	0.750		
M & I Bank	3	0.747		
Meadows Bank	9	0.747		
Mutual of Omaha Bank	23	0.750		
Nevada Bank & Trust	3	1.250		
Northern Trust Bank, FSB	3	0.743		
Plaza Bank	2	0.750		
Royal Business Bank (First Asian) <sup>9</sup>	3	0.750/0.250		
Service First Bank of Nevada	17	0.750		
Silver State Schools Credit Union	2	1.260		
Umpqua Bank (NV Security Bank)	7	0.750		
Valley Bank of Nevada (BNLV)	4	0.750		
Wachovia	4	0.750		
<b>15 TOTAL</b>	<b>92</b>		<b>\$22,765,354.17</b>	<b>\$14,124.09</b>

### III. Financial institutions *not* meeting requirements set forth in Rule 217

<b>Financial institution</b>	<b>Accounts</b>	<b>Interest rate</b>	<b>Average amount on deposit</b>	<b>IOLTA remittance</b>
JP Morgan Chase Bank <sup>10</sup>	59 <sup>11</sup>	.16	Not reported	\$137.77

<sup>7</sup> At this time, subject to further discussion by the Access to Justice Commission IOLTA Study Committee, NLF is not reporting IOLTA remittance or average amount on deposit for financial institutions with fewer than twenty-five IOLTAs. This decision reflects NLF's concern that providing IOLTA remittance or average amount on deposit for financial institutions with few IOLTAs could result in a breach of attorney-client or financial institution-attorney confidentiality.

<sup>8</sup> Member or member's law firm does not maintain an office within 20 miles of a financial institution meeting Rule 217 requirements.

<sup>9</sup> Royal Business Bank acquired First Asian Bank in November. On November 7, Royal Business Bank lowered the interest rate paid on IOLTAs to .25%. NLF contacted Royal Business Bank in December, and has been informed the issue will be discussed the Operations Department.

<sup>10</sup> Information reflects October hard copy report, as NLF has not received November report. NLF has contacted JP Morgan Chase to obtain the November report.

<sup>11</sup> All but 16 attorneys have reported moving their accounts from JP Morgan Chase Bank. Thirteen IOLTAs at JP Morgan Chase Bank hold a zero balance.

#### **IV. NLF fund development**

On November 8, 2011 Supreme Court Justices Hardesty and Douglas met with the NLF Board of Trustees to overview the history of the IOLTA program and past fundraising efforts. In addition, the Justices provided suggestions to the Board of Trustees as it moves forward in fundraising activities.

On December 5, 2011 NLF sent letters to the 31 Colleagues who still owe money on their pledges.

The NLF Fund Development Committee met on December 6, 2011 and decided on the following courses of action in regards to fundraising efforts:

1. A recommendation is being drafted from the Fund Development Committee to the Board that outlines NLF's mission, how fund development relates to the mission, and a case for raising additional funds. This will be presented to the Board on January 24, 2012.
2. Once the Board has approved a mission, strategic funding priorities, and a case for funding, the Fund Development Committee will finalize a resource development plan that includes specific fund development activities and the resources and staff/Board/additional volunteer support required to complete the activities.

#### **V. NLF IOLTA Committee activities**

IOLTA Committee members include Lee Roberts (Co-Chair), Trevor Atkin (Co-Chair), Sarah Guindy, David McElhinney, and Teddy Parker.

The IOLTA Committee will meet in January to discuss the 2012 IOLTA Financial Institution Stewardship Plan.

*IOLTA Committee Stewardship Activities accomplished in December:*

- IOLTA Committee Co-Chairs sent a holiday thank you to all IOLTA Financial Institutions to thank them for their partnership with Nevada's IOLTA program. The thank you also included information about the 2012 grant awards and grantee organizations.

**COPY**

RECEIVED  
LAS VEGAS DROP BOX  
JUL 15 2011 4:23  
CLERK OF THE COURT

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ANNUAL )  
STATEMENT OF THE NEVADA LAW )  
FOUNDATION )

IN THE MATTER OF THE ANNUAL )  
AUDIT OF THE NEVADA LAW )  
FOUNDATION )

REPORT PURSUANT TO SUPREME COURT ORDER

Pursuant to Supreme Court Rule 220.5, the Nevada Law Foundation hereby submits its annual statement concerning the performance of the recipients of grants for the years 2010 and the 2010 annual audit.

During the 2010 calendar year, sixteen organizations statewide were funded in the total amount of \$1,650,000.00:

Clark County Law Foundation Trial by Peers	\$	10,000.00
Committee to Aid Abused Women	\$	35,000.00
Court Appointed Special Advocates Carson City	\$	18,000.00
Court Appointed Special Advocates of Douglas County	\$	5,000.00
Court Appointed Special Advocates Northeast Nevada	\$	15,000.00
Las Vegas Senior Citizens Law Project	\$	101,700.00
Legal Aid Center of Southern Nevada	\$	877,500.00
Nevada Disability Advocacy and Law Center	\$	10,000.00
Nevada Legal Services	\$	160,500.00
Relevant Education About the Law	\$	10,000.00
Stop Abuse in the Family Environment	\$	14,000.00
Temporary Assistance for Domestic Crises	\$	15,000.00
Volunteer Attorneys for Rural Nevadans	\$	94,500.00
Washoe County Court Appointed Special Advocates	\$	18,000.00
Washoe County Senior Law Project	\$	45,000.00
Washoe Legal Services	\$	220,800.00



1 **Clark County Law Foundation Trial by Peers** was awarded \$10,000 for 2010. The program  
2 accomplished the following activities during the grant cycle: 1) Trial by Peers court; 2) jury duty  
3 service; 3) 13 cases diverted to Trial by Peers; and 4) upgrading the tracking system used by staff  
4 to track clients and volunteers. Funds were used for administrative purposes and salaries.

5  
6 **Committee to Aid Abused Women (CAAW)** was awarded \$35,000 for 2010. In 2010, CAAW  
7 processed over 1,500 applications for temporary protection orders, 1,300 applications for related  
8 orders, and had personal contact with over 4,000 clients. Staff continues to interview applicants  
9 to assess needs and explain the protection and related order process, assist in the preparation of  
10 applications, prepare preliminary protection orders, enter data into statewide data repository,  
11 educate victims about domestic violence, and ensure cooperative relationships with family court  
12 and area victim advocates. Funds were used for staff salaries.

13  
14 **Court Appointed Special Advocates Carson City** was awarded \$18,000 for 2010. During the  
15 2010 grant cycle, CASA of Carson City advocated for 96 Carson City and Storey County  
16 children. Additionally, 27 CASA advocates remain active in the organization and 10 more are in  
17 the training process. Expenditures were not reported.

18  
19 **Court Appointed Special Advocates of Douglas County** was awarded \$5,000 for 2010.  
20 Between October 2009 and September 2010, CASA of Douglas County advocated for 86  
21 children on a total of 51 cases, which is a record number of cases for the program. Many  
22 volunteers, rather than being assigned to a case, were involved in helping children by assisting  
23 the office in supervising visits, transporting children for medical or counseling appointments,  
24 interview assistance, etc. The program has had 14 abuse/neglect cases in the last 12 months, with  
25 the majority of cases involving custody and visitation issues. In addition, CASA of Douglas  
26 County is also appointed by the Court in delinquency, guardianship and paternity cases, as well  
27 as cases involving termination of parental rights. CASA of Douglas County is serving all  
28 requests of the Douglas County Judicial Court and has no children awaiting advocates. Funds  
29 were used for staff salaries.

30  
31 **Court Appointed Special Advocates Northeast Nevada** was awarded \$15,000 for 2010. A  
32 volunteer has been appointed to represent every single child that has been removed as a victim of  
33 abuse, neglect, or abandonment since receiving funding from the Nevada Law Foundation.  
34 Nineteen active volunteers are currently advocating for 47 children in Elko County. The funding  
35 was used towards salaries and general operating expenses for the volunteers and program.

36  
37 **Las Vegas Senior Citizens Law Project (SCLP)** was awarded \$101,700 after requesting its  
38 award be reduced by \$3,300 and given to Washoe Legal Services. Grant funds allowed SCLP to  
39 expand its staff and increase the services it provides to disadvantaged residents of Clark County  
40 age 60 and older, particularly those living in rural communities. Funding was used to pay the

wages of three 19-hour-per-week employees, provide office equipment and supplies, support staff training, travel, provide professional services for clients, pay dues and maintain professional certifications.

**Legal Aid Center of Southern Nevada** was awarded \$877,500 for 2010. Grant funds aided the Legal Aid Center of Southern Nevada in meeting the civil legal needs of low-income Nevadans through the Domestic Violence Project, Consumer Rights Project, Pro Bono Project, and Children Attorney Project. Funds were used for salary and fringe for professional and support staff, as well as operational expenses.

**Nevada Disability Advocacy and Law Center (NDALC)** was awarded \$10,000 for 2010. NDALC collaborated with other nonprofit agencies and government providers serving persons with mental illness. Additionally, NDALC continued to provide legal services to over 600 persons with mental illness being discharged from mental health facilities into the community. Funding was used towards staff salaries and operating costs.

**Nevada Legal Services** was awarded \$160,500 for 2010 after requesting their award be reduced by \$15,000 and given to Washoe Legal Services. The Family Law Self-Help Center assisted a total of 61,606 individuals during the Nevada Law Foundation grant period. Nevada Legal Services' Pro Bono Program has continued to grow. During the grant period Nevada Legal Services opened 183 new pro bono cases. Of the cases opened, Nevada Legal Services was able to place 102 of the cases with Pro Bono attorneys, and 58 of those cases were completed and closed. Funds were used for administrative purposes and salaries.

**Relevant Education About the Law (REAL)** was awarded \$10,000 for 2010. Schools and teachers were very grateful to have the resources to be able to conduct civil and educated discussions with their students. During the grant cycle, REAL held 35 performances for more than 3,500 students who then entered into discussions facilitated by immigration lawyers. Additionally, research was completed for new privacy materials and the curriculum, *The Government, Privacy and You..* The curriculum covers several aspects of privacy law that directly affect teens' lives. The play, *It's None of Your Business*, addresses the right to protect an individual's identity. Expenditures included small scholarships for the 14-member cast, performance expenses, research costs, and lesser amounts for postage, printing and supplies.

**Stop Abuse in the Family Environment (S.A.F.E. House)** was awarded \$14,000 for 2010. Both Ninth Judicial District court Judges have credited the S.A.F.E. House with performance that insured the safety of wards; created better living environments for wards through "less restrictive" placements, saving the state of Nevada Medicaid program upwards of \$120,000 per year in changing the placements of just 2 wards; and the Court adoption of a standard of care for wards by guardians. Over 20 volunteers completed S.A.F.E. House training and were appointed

1 as advocates in 23 cases in guardianship matters, pre-guardianship cases, and one criminal case.  
2 Funds were used for staff salaries.

3  
4 **Temporary Assistance for Domestic Crisis (TADC)** was awarded \$15,000 for 2010. Grant  
5 funds helped maintain the Protection Order Advocacy Project at Family Court. During the 2010  
6 grant year, 6,068 hearings were held, the majority of which involved the extension of temporary  
7 orders of protection. Eleven volunteers are actively engaged in activities, contributing 586 hours  
8 and assisting an average of 25 victims per month. Funds were used for one full-time advocate  
9 and 1 full-time assistant advocate.

10  
11 **Volunteer Attorneys for Rural Nevadans (VARN)** was awarded \$94,500 for 2010. VARN's  
12 Domestic Violence Victim's Assistance Project provided free legal services in protection orders,  
13 divorce, custody, guardianship, and parent rights matters for victims of domestic violence in  
14 rural communities throughout Nevada. During this reporting period, VARN provided services to  
15 1,700 people. Funding was expended on salaries and administration costs.

16  
17 **Washoe County Court Appointed Special Advocates** was awarded \$18,000 for 2010. Grant  
18 funding assisted Washoe County CASA with providing much needed attorney support to  
19 CASAs, ensuring they have a better understanding of what permanency offers and ways CASAs  
20 can promote permanency for children and youth. In 2010, the CASA attorney provided 221  
21 hours of legal service in support of CASA advocacy and CASA volunteers were appointed to 64  
22 new cases involving 130 children. Funds supported the services of a contract attorney for one  
23 year.

24  
25 **Washoe County Senior Law Project** was awarded \$45,000 for 2010. Grant funding supported  
26 paralegal and attorney staff involved with housing cases, public entitlement cases, Medicaid and  
27 Medicare issues, and work on behalf of frail elderly who are homebound, in nursing homes, or  
28 otherwise institutionalized. During the grant cycle, over 826 cases were opened and over 380  
29 cases closed. Funds were used for staff salaries.

30  
31 **Washoe Legal Services** was awarded a total of \$220,800 in 2010. Washoe Legal Services was  
32 initially awarded \$202,500 in 2010; however, Las Vegas Senior Citizens Law Project and  
33 Nevada Legal Services requested their awards be reduced by, and Washoe Legal Services award  
34 be increased by, \$18,300 to provide funding for the Statewide Legal Services Support  
35 Coordinator. During the 2010 grant cycle, Washoe Legal Services handled 5,397 family law and  
36 domestic violence cases. Equal Access to Justice Litigation Project, Child Advocacy Program,  
37 Immigration Project, and Pro Bono services. Additionally, Washoe Legal Services conducted  
38 on-site intake activities at partner agencies and made referrals to partners as appropriate to meet  
39 client needs. Funds were expended on staff salaries.

1 The 2010 audit of the financial records of the Nevada Law Foundation was prepared by  
2 Houldsworth, Russo, and Company, P.C.<sup>1</sup>  
3  
4  
5  
6  
7  
8

9 Respectfully Submitted,

10  
11 NEVADA LAW FOUNDATION

12  
13 By: David C. McElhinney  
14

15 David McElhinney, Esq.  
16 Chairperson 2009-2011  
17 Nevada State Bar # 33  
18 Nevada Law Foundation  
19 P.O. Box 1048  
20 Las Vegas, NV 89125  
21 702-384-1204  
22 admin@nevadalawfoundation.org  
23

24 By: Dara Goldsmith

25  
26 Dara Goldsmith, Esq.  
Chairperson 2011-Present  
Nevada Law Foundation  
P.O. Box 1048  
Las Vegas, NV 89125  
702-384-1204 / 702 873-9500  
admin@nevadalawfoundation.org  
dgoldsmith@goldguylaw.com

<sup>1</sup> Exhibit "A."

# **SECTION BREAK**



February 6, 2012

Sugar Vogel, Executive Director  
Senior Citizens Law Project  
400 E Stewart Ave  
Las Vegas, NV 89101

Re: Southern Nevada Senior Law Program

**OFFICERS:**

**CHAIR**

Kathy McClain,  
Retired NV Assembly,  
702 898-5579  
[kam15@msn.com](mailto:kam15@msn.com)

**Co- VICE CHAIR**

Jan Lucherini  
Victim Advocate, NLVPD  
702 633-1017  
[lucherinij@cityofnorthlasvegas.com](mailto:lucherinij@cityofnorthlasvegas.com)

Maria Castillo-Couch  
City of Las Vegas  
702 229-6681  
[mccouch@lasvegasnevada.gov](mailto:mccouch@lasvegasnevada.gov)

**SECRETARY**

Alan Macintosh  
Private Professional Guardian  
702 439-4982  
[ABMvegas@gmail.com](mailto:ABMvegas@gmail.com)

**TREASURER**

Regina Porter,  
Victim Services, LVMPD  
702 828-0167  
[p9925p@lvmpd.com](mailto:p9925p@lvmpd.com)

Dear Ms. Vogel,

We would like to congratulate you on your efforts to establish the Southern Nevada Senior Law Program. We also congratulate The City of Las Vegas for its support of this valuable program over the years. Now, as it transitions into a non-profit organization, we are certain the program will continue to provide the same excellent customer service for our senior population. The S.A.L.T. Council is excited to support your efforts.

S.A.L.T. (Seniors and Law Enforcement Together) is a 501(c)3 whose mission is "To prevent abuse, neglect, and exploitation of senior citizens in Southern Nevada through education and advocacy efforts." The Council has benefited from our partnership with the Senior Law Project since our inception in 1993.

The Senior Law Project has distinguished itself for the last thirty plus years by advocating for members of the senior community and particularly those dealing with the horrors of catastrophic illness which affects them and families. Members of S.A.L.T. recognize that these services, as well as the wide range of other legal services provided by your office, are supplied in an intimate, non-intimidating setting that is so important to our seniors. As we in the senior network know firsthand, our clients are a unique demographic that require a personalized approach.

The S.A.L.T. Council of Southern Nevada is pleased to offer our support and encouragement for your efforts to maintain this vital service to our senior citizens in Southern Nevada. We look forward to our continued partnership in assisting seniors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy McClain', is written over a horizontal line.

Kathy McClain, Chair  
S.A.L.T. Council of Southern Nevada

# SENIORS UNITED

*(Non-Profit, Non-Partisan, Political Education Corporation)*

CEO  
Jackie Seip  
President  
Jerry Johnson  
Treasurer  
Doris Balducci  
Secretary  
Marian Replogle

January 14, 2012


Sheri Vogel/Executive Director  
Senior Citizens Law Project  
310 S. 9<sup>th</sup> Street  
Las Vegas, NV 89101

Dear Sugar,  
Seniors United extend our thanks for your thorough & very informative presentation @ our January 11<sup>th</sup>, meeting which we had 70 plus in attendance. Also congratulations on development of your 501c3 status as of July 2012.

This letter is written in support and confidence in the quiet, guiding strength of the Senior Citizens Law Project that as you announced will become the Clark County Senior Law Project rooted in its' abilities and determination to make life better for each & every senior that has the good fortune to benefit from your varied services geared to handle the unique needs of Seniors. We are especially pleased that an exclusive Senior Legal Service program will remain intact. It is essential to have your organization that meets this mandate because the needs of seniors differ from younger citizens.

As surely you will face formidable obstacles, just know that the senior community supports your work and I do hope you will all continue to fight for what is best for Seniors.

Sincerely,



Jerry Johnson

President, Seniors United

# **SECTION BREAK**





# ACCESS TO JUSTICE COMMISSION

## Mandatory Pro Bono Reporting and Statewide Legal Services

### Reporting Year 2010

**DRAFT**



Dated:  
Filed by:

March 9, 2012  
Kristina Marzec  
Commission Director  
[kristinam@nvbar.org](mailto:kristinam@nvbar.org) (702) 317-1404

## 1. Introduction

In 1996, the Nevada Supreme Court amended rule of professional conduct SCR 191 (now renumbered as RPC 6.1) to make mandatory that all lawyers report to the State Bar of Nevada, along with dues statements, whether that lawyer performed pro bono activities as described in the rule.

The purpose of mandatory reporting is, simply stated, to provide a tool to begin capturing how we are doing as a state in providing pro bono services across all resources, from the firm pro bono client to the legal aid pro bono client to activities for improving the law and the legal profession. Prior to this rule, there was no central repository for statewide pro bono statistics.

Nevada enjoys robust banking participation in the IOLTA program, a key funding source for legal aid providers. Banks and other supporters of Access to Justice initiatives should and do expect a quantifiable response to the question "what is the legal profession contributing to address this issue?" and mandatory attorney pro bono reporting is a key avenue to accountability.

Mandatory reporting forms have undergone some changes over the past five years, and state bar members have become more educated on the purpose and importance of pro bono reporting. Data relies on the good faith self-reporting of each member.

This first annual 6.1 Pro Bono Report of the Access to Justice Commission provides calendar year 2010 data, along with a year-over-year comparison and other key resources necessary to begin capturing the landscape of access to justice challenges facing our communities.

## 2. 2010 6.1 Attorney Pro Bono Self-Reporting.

Mandatory Pro Bono 2010 Responses (collected 2011)

These results are as of 8/11/2011 as collected from the reported mandatory documents and compiled by state bar staff. A total of 9987 active and inactive members were mailed mandatory documents.

9459 members responded to the Mandatory Report of Pro Bono form.  
 5422 members reported not doing pro bono as described in RPC 6.1.  
 6 of these members reported donating hours, anyway.  
 33 indicated donating hours of service, without indicating whether it was compliant or not.  
 2894 members reported doing pro bono as described in RPC 6.1.

2156 members reported 103474.21 hours of donated service for no fee to low income clients.

754 members reported 37126.84 hours of donated service to organizations addressing needs of persons of limited means.

904 members reported 33958.59 hours of donated service improving the law

#### Individual Groups

Legal Aid Center of Southern Nevada:	64 members donated \$268,370
Las Vegas Senior Law Project:	1 member donated \$500
Nevada Legal Services:	23 members donated \$32,320
Dues Check off:	350 members donated \$154,122 (actual)
Volunteer Attorneys for Rural Nevadans:	21 members donated \$8,477
Washoe County Senior Law Project:	14 members donated \$23,431
Washoe Legal Services:	30 members donated \$31868

#### Services:

423 donated service to the Legal Aid Center of Southern Nevada  
 16 donated service to the Las Vegas Senior Law Project  
 120 donated service to Nevada Legal Services  
 59 donated service to the Volunteer Attorneys for Rural Nevadans  
 30 donated service to the Washoe Country Senior Law Project  
 63 donated service to Washoe Legal Services  
 1677 members cited donation of service to Other Groups.

### 3. Legal Aid Uniform Statistics 2010

#### Overall Program

1. Number of clients assisted without litigation:	11,546
2. Number of clients represented in litigation:	5,665
3. Number of people attending classes/clinics/AAL/hotlines:	48,724
Ask A Lawyer	2,050
Self Help Center	102,239
Classes/Clinics	31,720
Hotlines	6,457

#### Pro Bono Program

1. Number of clients placed with pro bono attorneys	952
2. Total number of clients represented by pro bono attorneys	1,748
3. Individuals helped by pro bono attorneys with AAL/hotline/ Brief consultation:	3,274
4. Total recorded pro bono hours through PAI	18,165

#### Additional Program Information- substantive areas by percentage

Public Benefits:	5%
Consumer/BK:	8.5%
Estate Planning:	10%
Family Law:	21%
Children:	3%
Housing/Foreclosure:	25%
Other:	27.5%

These statistics were submitted using criterion developed by Legal Aid Center of Southern Nevada; Nevada Legal Services; City of Las Vegas Senior Law Project; Washoe Legal Services; Washoe Senior Law Project, and Volunteer Attorneys for Rural Nevadans as follows:

For each calendar year\*, programs shall report:

For overall program:

1. Number of clients\*\* assisted without litigation (counsel and advice, brief service, and extended service\*\*\*). Does not include folks turned away, referred, or not helped).
2. Number of clients represented with litigation or administrative agency representation
3. Number of individuals attending classes/clinics/ask-a-lawyers

For pro bono programs:

1. Number of new clients placed with pro bono attorneys
2. Number of clients with open pro bono cases
3. Number of individuals helped by pro bono attorneys with brief service/ask-a-lawyer/hotline work or other brief consultations.

\*Programs shall compile the statistics in January of each year for the previous calendar year.

\*\*Clients are defined as individuals with whom the program has an attorney-client relationship.

\*\*Clients are counted once, even though multiple services may be performed for a client such as writing letters to creditors, assisting with a foreclosure, and calling a landlord.

\*\*\* Many programs use these categories. Counsel and advice usually consists of a 10-30 minute consultation, brief service consists of letter writing on the client's behalf, and extended service may be demand letters and negotiation or a loan modification.

#### **4. Trending.**

Overall, the amount of lawyers reporting that they do pro bono work "yes" vs. "no" has remained fairly consistent, averaging about 35% of active lawyers claiming that they did do pro bono the previous year.

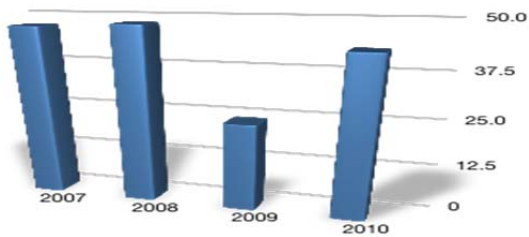
However, that number is disturbingly low. Nevada has a liberal aspirational pro bono rule comparative to other mandatory reporting states, allowing lawyers to claim law related activities, activities for improving the law, and services to organizations that provide pro bono in addition to traditional direct

case placements for no fee and reduced fees. When you consider, for example, that in 2010, of the 2,894 lawyers who reported “yes” to doing pro bono, 904 claimed “activities for improving the law,” equating to 31% of the total member population do pro bono in all categories (see fig. 4), there are very few members shouldering direct legal representation in climate where less than two of every ten people who qualify for legal aid are able to be helped due to lack of resources. 2012 Census numbers place approximately 41% of Nevadans living at or below the federal poverty level, which is over 1 million people who qualify for legal aid ( <http://statehealthfacts.org/>).

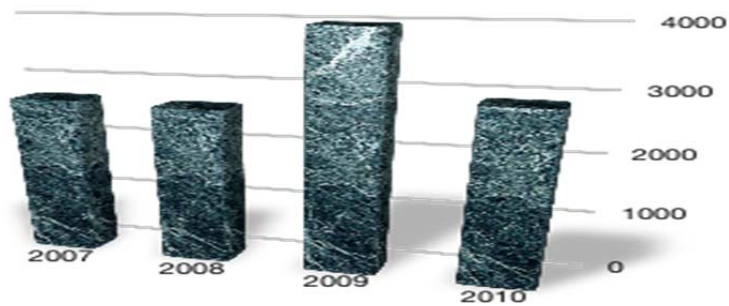
When you consider the 2008 Nevada Civil Legal Needs Assessment found 80% of qualifying households reported a civil legal problem, the number of unmet civil legal needs today is staggering. (See [www.nvbar.org](http://www.nvbar.org) for the full Needs Assessment).

	2007	2008	2009	2010
Did you Provide Pro Bono 1 <sup>st</sup> %= of active lawyers 2 <sup>nd</sup> %= of active+inactive	No= 4342 <b>(58%/48%)</b> Yes= 2690 Active=7429 Inactive=1544	No= 4018 <b>(52%/43%)</b> Yes= 2648 Active=7739 Inactive=1534	No= 5732 <b>(76%/62%)</b> Yes= 3966 9192 total mailed Inactive= 1637	No= 5422 <b>(67%/54%)</b> Yes= 2894 9987 total mailed Inactive =1719
Hours of Direct Services	2399 lawyers 91917 hours	1879 lawyers 72,599 hours	2626 lawyers 106784 hours	2156 lawyers 103474 hours
LACSN	497 cases 51 donated \$25,322	224 cases 31 donated 16,427	479 cases 62 donated \$390350 (includes building fund)	423 cases 64 donated 268,370
Las Vegas Senior Law	11 cases 6 donated \$2,600	8 cases 6 donated \$2,800	11 cases 6 donated \$ 2125	16 Cases 1 Donated \$500
NLS	25 cases 12 donated \$4,680	103 cases 13 donated 29,526	85 cases 23 donated \$7490	120 Cases 23 Donated \$32,320
VARN	29 cases 33 donated \$12,127	27 cases 40 donated \$18,500	45 cases 45 donated \$16845	59 Cases 21 Donated \$8477
Washoe Senior Law	19 cases 2 donated \$700	20 cases 9 donated \$1,950	25 cases 24 donated \$7850	30 Cases 14 Donated \$23431
Washoe Legal	43 cases 18 donated \$5,670	59 cases 17 donated \$4,675	71 cases 4 donated \$ 1200	63 Cases 30 Donated \$31868
Other	1691	1479	2130	1677
Dues Check Off (actual)	\$92,300	\$ 155,510	\$ 185,784	\$154,122
Reduced fee services	972 provided 63,798 hours	803 provided 54, 653	1146 86585	Question not included on form
Serving organizations	409 provided 19,658 hours	349 provided 15,146 hours	633 52100	754 37127
Activities for improving the law	900 provided 32,558 hours	723 provided 26,609	983 52143	904 33959

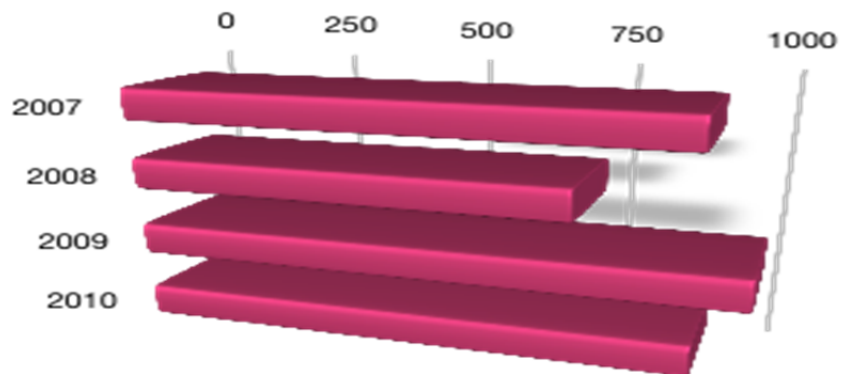
**Fig. 1 RPC 6.1 Pro Bono Reporting Statistics Year-to-Year**



**Fig. 2** Percentage of Active Lawyers Reporting Pro Bono activities



**Fig. 3** Number of lawyers reporting pro bono services, any category



**Fig. 4** Number of lawyers reporting "activities for improving the law"

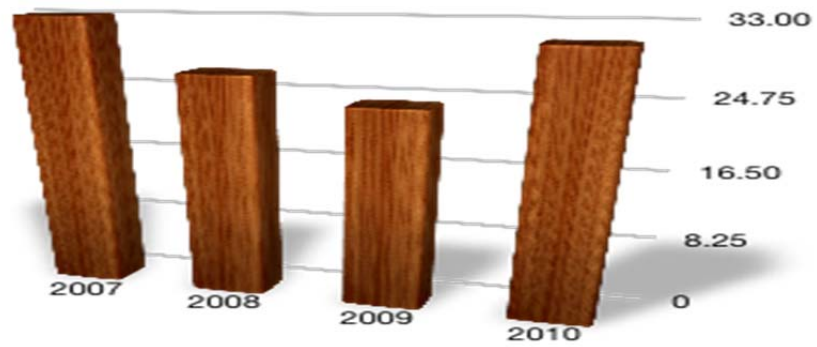


Fig 5. Percentage “activities for improving the law” represents of total lawyers reporting pro bono, all categories

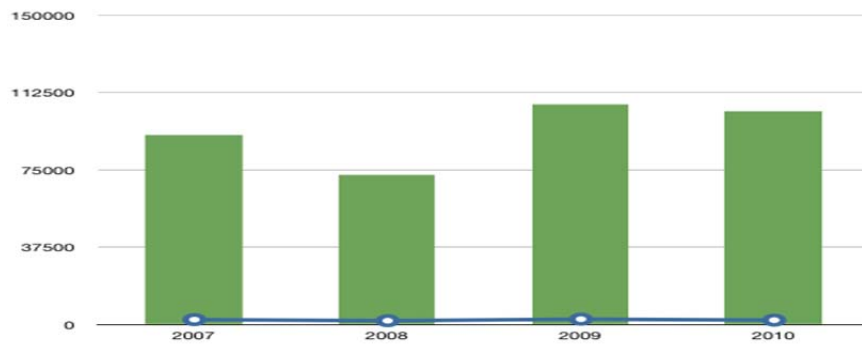


Fig. 6 Number of direct services **hours** reported

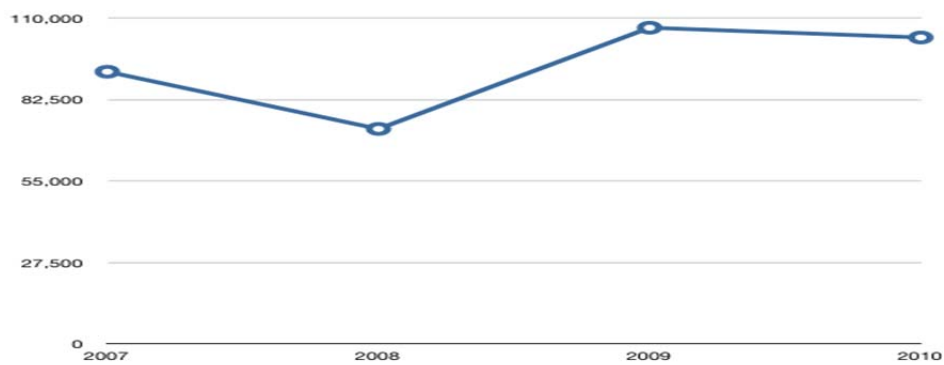


Fig. 7 Number of **lawyers** performing direct services reported

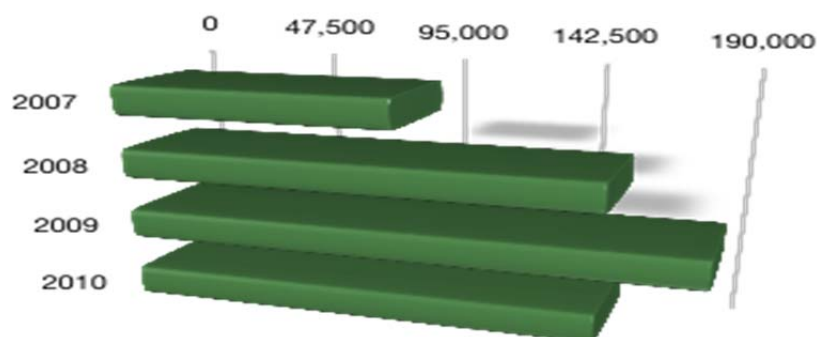


Fig. 8 RPC 6.1 Donations (actual)

## 5. Outlook

Sustainable revenue streams for civil legal aid continue to decline. Filing and court fees are down significantly. Grants are being reduced or outright eliminated. Federal funding for Legal Services Corporation is expected to continue sharp cuts in the coming years. Amounts on deposit which generate IOLTA interest are likewise lower, and market interest rates paid on those funds are reflective of the current economic climate. Nevada consistently ranks in the top of the country--frequently first--for bankruptcy, foreclosure, unemployment, and men who murder women. The outlook for meeting unmet civil legal needs is unfortunately grim, particularly taking into account that before the recession hit, only about 20% of people who qualify for help were able to find it.

Private bar participation, philanthropy from all sectors of the community, and community education and activism concerning the health of access to Nevada's civil court system has never been more important.

---

**Kristina Marzec**  
**Access to Justice Director**  
**State Bar of Nevada**  
**600 E Charleston Blvd**  
**Las Vegas Nv 89104**  
**702-317-1404**

Access to Justice Commission Civil Legal Aid  
2010 UNIFORM STATEWIDE SERVICES STATISTICS

Overall Program

1. Number of clients assisted without litigation:	11,546
2. Number of clients represented in litigation:	5,665
3. Number of people attending classes/clinics/AAL/hotlines:	48,724
Ask A Lawyer	2,050
Self Help Center	102,239
Classes/Clinics	31,720
Hotlines	6,457

Pro Bono Program

1. Number of clients placed with pro bono attorneys	952
2. Total number of clients represented by pro bono attorneys	1,748
3. Individuals helped by pro bono attorneys with AAL/hotline/ Brief consultation:	3,274
4. Total recorded pro bono hours through PAI	18,165

Additional Program Information- substantive areas by percentage

Public Benefits:	5%
Consumer/BK:	8.5%
Estate Planning:	10%
Family Law:	21%
Children:	3%
Housing/Foreclosure:	25%
Other:	27.5%

These statistics were submitted using criterion developed by Legal Aid Center of Southern Nevada; Nevada Legal Services; City of Las Vegas Senior Law Project; Washoe Legal Services; Washoe Senior Law Project, and Volunteer Attorneys for Rural Nevadans, and, compiled by the Access to Justice Commission.

Individual program reports are attached to this summary.

Please direct questions to Kristina Marzec, Director, Access to Justice Commission  
[Kristinam@nvbar.org](mailto:Kristinam@nvbar.org) \* 702-317-1404 \* 800-254-2797



**Nevada Legal Services**  
**2010 Calendar Year Statistics for ATJ Commission**

**Overall Program**

- |  |               |
|--|---------------|
| 1. Number of clients assisted without litigation:  | <u>11,311</u> |
| 2. Number of clients represented with litigation:  | <u>2,313</u>  |
| 3. Number of individuals attending classes/clinics/AAL/hotlines:<br>(each agency break down specifics) | <u>97,299</u> |
| Family Law Self-Help Center  | 70,823        |
| Clinics, Classes, Outreach, community events, etc.   | 26,476        |

Program Area Percentage Breakdown (*Excluding* Self-Help Center and Clinics, etc.):

Consumer	4%
Employment	1% (Does not include Unemployment Benefits)
Family	4%
Juvenile	1%
Health	1%
Housing/Foreclosure	71%
Income Maintenance	13% (Includes Unemployment Benefits)
Individual Rights	1%
Miscellaneous	4%

**Pro Bono Program**

- |   |              |
|---|--------------|
| 1. Number of new clients placed with pro bono attorneys:                                      | <u>99</u>    |
| 2. Total number of clients represented by pro bono attorneys:                                 | <u>104</u>   |
| 3. Number of individuals helped by pro bono attorneys with<br>AAL/hotline/brief consultation: |              |
| Pro Se Clinics  | <u>592</u>   |
| 4. Number of pro bono hours:  | <u>443.4</u> |

Since 1958  
**LEGAL AID CENTER**  
■ ■ ■ ■ *of Southern Nevada*

2010 Calendar Year Statistics for ATJ Commission

**Overall Program**

1. Number of clients assisted without litigation:	2,635
2. Number of clients represented with litigation:	2,208
3. Number of individuals attending classes/clinics/AAL/hotlines:	45,167
AAL—2,050	
SHC—31,416	
Classes/Clinics—5,244	
Hotlines—6,457	
TOTAL:	50,010

**Program Area Percentage Breakdown (Excludes Self Help Center):**

Children:	15%
Consumer:	35%
Estate Planning	1%
Family Law:	31%
Housing/Foreclosure:	12%
Public Benefits:	6%

**Pro Bono Program**

1. Number of new clients placed with pro bono attorneys:	602
2. Total number of clients represented by pro bono attorneys:	1,469
3. Number of individuals helped by pro bono attorneys with AAL/clinics/hotline/brief consultation:	2,050
4. Number of pro bono hours:	16,000+

**SENIOR CITIZENS LAW PROJECT**

Las Vegas

**2010 Calendar Year Statistics ATJ Commission**

**Overall Program**

*1. Number of clients assisted without litigation:	<u>1958</u>
**2. Number of clients assisted with litigation:	<u>107</u>
3. Number of individuals attending classes/clinics	1126

**Program Area Percentage Breakdown:**

Estate Planning	28%
Consumer	13%
Healthcare Law	25%
Public Benefits	1%
Guardianship	10%
Housing	15%
Other	8%

**TOTAL: 100%**

\*Fiscal year begins July 1. Under federal grant guidelines clients are only counted once during a fiscal year, regardless of how many visits they make from July 1 - June 30. Total of direct legal services provided in 2010 is 4,241.

\*\*This category does not include any senior attending health fair or large community event, etc.

Washoe Legal Services  
Stats for Access to Justice Comission  
1/1/10-12/31/10

For Overall Program

Number of clients assisted without litigation	3,055
Number of clients represented with litigation or administrative agency representation	791
Number of individuals attending classes/clinics/ask a lawyers/hotline	1,947
TOTAL	<u>5,793</u>

For Pro Bono Program

Number of clients plased with pro bono attorneys	57
Number of clients with open pro bono cases	26
Number of individuals helped by pro bono attorneys with brief service/ ask a lawyer/ hotline work or other brief consultations	279
Pro bono hours	1,167

## VOLUNTEER ATTORNEYS FOR RURAL NEVADANS

### 2010 REPORTING STATISTICS

#### OVERALL PROGRAM

	Clients
1. Clients assisted without litigation	2022
2. Clients represented in litigation	143
3. People attending classes/clinics	25

#### PRO BONO PROGRAM

1. Client placed with pro bono attorneys	67
2. Clients represented by pro bono attorneys	63
3. Individuals helped by pro bono attorneys with Brief Consult/Lawyer in the Lobby/Legal Aid Fairs	278
4. Total recorded pro bono hours through PAI	553.62

#### ADDITIONAL PROGRAM INFORMATION - SUBSTANTIVE AREAS BY PERCENTAGE

Public Benefits:	0
Consumer/BK	1%
Estate Planning	1%
Family Law	95%
Children	0
Housing/Foreclosure	3%

SENIOR LAW PROJECT - *Wlashoe*  
2010 Uniform Case Statistics Report

Overall Program

1. Number of clients assisted without litigation:	1,554
2. Number of clients represented in litigation:	103
3. Number of Individuals attending classes/clinics:	633

Pro Bono Program

1. Number of new clients placed with pro bono attorneys	127
2. Number of clients with open pro bono cases	86
3. Number of individuals helped by pro bono attorneys w/brief service	75

Additional Program Information:

Public Benefits:	6%
Consumer:	10%
Estate Planning:	34%
Family:	0
Children	0
Foreclosure/Housing	50%

NEVADA LEGAL SERVICES  
PROPOSED ANNUAL BUDGET  
January 1, 2012 to December 31, 2012

	2011 Revised Budget	2012 Proposed Budget	DIFFERENCE	
<b>REVENUES</b>				
LSC - BASIC FIELD GRANT	2,099,916	1,788,006	(311,910)	
LSC - NATIVE AMERICAN GRANT	147,087	125,240	(21,847)	\$25k carryover not included.
NEVADA LAW FOUNDATION	175,500	186,780	11,280	
UNITED WAY OF NORTHERN NEVADA	2,125	-	(2,125)	
STATE FILING FEES	150,000	150,000	-	
ILG GRANT	70,981	30,000	(40,981)	
CLARK COUNTY FAMILY LAW SELF HELP CENTER	214,800	250,000	35,200	
LOW INCOME TAXPAYER CLINIC	35,000	75,000	40,000	
KINSHIP GRANT	2,400	-	(2,400)	
DOJ GRANT	36,297	60,000	23,703	
HUD HOUSING COUNSELING	110,677	40,000	(70,677)	
WASHOE COUNTY HOMELESSNESS PREVENTION	5,771	-	(5,771)	
AOC FORECLOSURE MEDIATION	75,000	-	(75,000)	
FORECLOSURE COUNSELING	41,220	20,000	(21,220)	
STATE BAR LRIS GRANTS	63,695	-	(63,695)	
INTEREST	179	150	(29)	
ATTORNEY FEES	5,000	-	(5,000)	
CONTRIBUTIONS	15,000	2,500	(12,500)	
SPECIAL EVENTS	35,000	20,000	(15,000)	
STATE BAR DONATIONS	35,000	35,000	-	
CLE FEES	7,500	2,000	(5,500)	
OTHER	3,000	3,000	-	
<b>Total REVENUE</b>	<u>3,331,148</u>	<u>2,787,676</u>	<u>(543,472)</u>	

NEVADA LEGAL SERVICES  
PROPOSED ANNUAL BUDGET  
January 1, 2012 to December 31, 2012

	2011 Revised Budget	2012 Proposed Budget	DIFFERENCE
PERSONNEL			
ATTORNEYS	940,998	879,947	(61,051)
CCFLSHC STAFF SALARIES	155,376	157,390	2,014
CUSTOMER SERVICE REPS	65,296	38,903	(26,393)
ADMINISTRATION	220,078	198,127	(21,951)
CLERICAL SUPPORT	193,064	189,131	(3,933)
PARALEGALS	371,520	287,874	(83,646)
TEMPORARY STAFFING	5,000	5,000	-
HEALTH INSURANCE	336,958	315,722	(21,236)
FICA	120,152	108,585	(11,567)
MEDICARE EXPENSE	28,101	25,396	(2,705)
WORKER'S COMPENSATION EXP	6,033	5,494	(539)
UNEMPLOYMENT INSURANCE	24,342	21,634	(2,708)
VACATION ACCRUAL	54,156	20,000	(34,156)
<b>Total PERSONNEL</b>	<b>2,521,074</b>	<b>2,253,203</b>	<b>(267,871)</b>
NON-PERSONNEL EXPENSES			
RENT/LEASE	88,940	41,780	(47,160)
SPACE COSTS	42,000	30,480	(11,520)
UTILITIES	27,000	21,500	(5,500)
JUDICARE EXPENSE	7,500	7,500	-
TELEPHONE-LOCAL	4,000	2,800	(1,200)
TELEPHONE-LONG DISTANCE	23,000	21,500	(1,500)
TELEPHONE - 800 SERVICE	500	500	-
TELEPHONE-CELL	2,000	2,000	-
EQUIPMENT LEASE/REPAIR	24,000	18,000	(6,000)
TECHNOLOGY COSTS	90,000	45,400	(44,600)
BANK CHARGES	3,600	3,600	-
REPAIR/MAINTENANCE	10,000	9,200	(800)
OFFICE SUPPLIES	45,000	36,000	(9,000)
POSTAGE	30,000	29,760	(240)



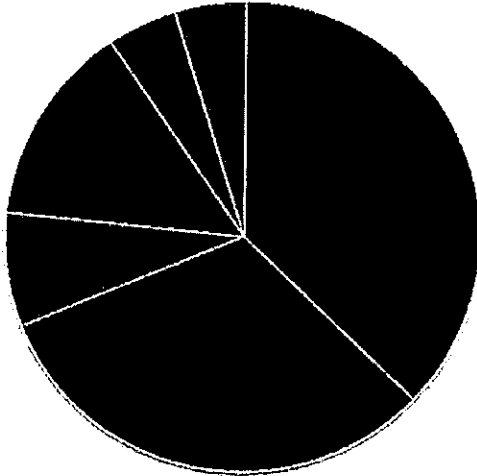
NEVADA LEGAL SERVICES  
PROPOSED ANNUAL BUDGET  
January 1, 2012 to December 31, 2012

	2011 Revised Budget	2012 Proposed Budget	DIFFERENCE
SHIPPING/DELIVERY	1,000	1,000	-
PRINTING	30,000	30,000	-
OFFICE-COMPUTER SERVICES	6,000	6,000	-
TRAVEL - BOARD	1,000	1,000	-
TRAVEL - STAFF	35,000	35,000	-
TRAVEL - MILEAGE	12,000	12,000	-
TRAVEL - PER DIEM	6,000	6,000	-
BOARD EXPENSES-OTHER	500	500	-
STAFF EXPENSE - OTHER	3,000	3,000	-
TRAINING - BOARD	1,500	1,500	-
TRAINING - STAFF	40,000	11,500	(28,500)
PROFESSIONAL ASSOCIATIONS	12,000	12,000	-
BAR DUES	7,000	6,000	(1,000)
DUES & FEES OTHER	8,000	7,000	(1,000)
INTEREST EXPENSE	52,000	40,000	(12,000)
LITIGATION	5,000	5,000	-
OUTREACH ACTIVITIES	17,000	6,000	(11,000)
SPECIAL EVENTS	35,000	35,000	-
TECHNICAL ASSISTANCE	2,000	2,000	-
CONSULTANTS	5,000	5,000	-
AUDIT & ACCOUNTING	26,400	25,000	(1,400)
INSURANCE - PROFESSIONAL LIAB	8,500	8,500	-
INSURANCE - GENERAL LIABILITY	6,000	6,000	-
RECRUITMENT	1,500	1,500	-
VARN PAYMENTS PAI	42,000	-	(42,000)
LACSN PAYMENTS PAI	75,000	-	(75,000)
<b>Total NON-PERSONNEL EXPENSES</b>	<b>835,940</b>	<b>536,520</b>	<b>(299,420)</b>
<b>Total OPERATING EXPENSES</b>	<b>3,357,014</b>	<b>2,789,723</b>	<b>(567,291)</b>
<b>REVENUE OVER/UNDER EXPENSES</b>	<b>(25,866)</b>	<b>(2,047)</b>	<b>23,819</b>

# Legal Aid Center of Southern Nevada

## INCOME

Court Filing revenue	\$2,364,774
Grants & Contracts	\$2,018,377
Private Foundations	\$500,000
IOLTA	\$877,500
Donations	\$301,585
Interest Income / Other	\$307,868
Income Before Donated Services	\$6,370,104



- 1 Court Filing Revenue
- 2 Grants & Contracts
- 3 Private Foundations
- 4 IOLTA
- 5 Donations
- 6 Interest Income / Other

# *City of Las Vegas Senior Citizens Law Project*

	<b>FY 2010</b>	<b>FY 2011</b>
Beginning Fund Balance	186,770.20	273,779.53
Grants (AoA & ILG)	148,148.00	190,000.00
NRS 19.031	466,272.30	456,709.85
IOLTA	105,000.00	105,000.00
City of Las Vegas General Fund Contribution	325,000.00	-
Other (State Bar, Pro Bono & Client Donations)	58,061.87	73,000.00
<b>Total Revenue, including Beginning Fund Balance</b>	<b>1,289,252.37</b>	<b>1,098,489.38</b>
Salary & Benefits Expenses	804,925.91	785,811.54
Operating Expenses, Non-Labor	210,546.93	227,356.37 *
<b>Total Operating Expenses</b>	<b>1,015,472.84</b>	<b>1,013,167.91</b>
<b>Total Revenue Less Total Operating Expenses</b>	<b>273,779.53</b>	<b>85,321.47</b>
<b>Ending Fund Balance</b>	<b>273,779.53</b>	<b>85,321.47</b>

\*Reflects City of Las Vegas mandated administrative costs.

**Washoe Legal Services**  
**Income and Expenses**  
**Year ending 12/31/10**

**INCOME**

Court Filing Revenue	\$ 417,056
Grants & Contracts	966,023
Private Foundations	132,328
IOLTA	202,500
Donation	8,985
Interest Income/Other	99,441

Total Income	<u>\$ 1,826,333</u>
--------------	---------------------

**EXPENSES**

**Personnel**

Salaries	\$ 1,228,809
Taxes and Benefits	266,930
Personnel Subtotal	<u>1,495,739</u>

**Non -Personnel**

Space & Utilities	171,824
Equipment Rental, Maintenance, IT	19,514
Supplies, Printing, Postage, General	83,730
Office Related	
Travel & Training	25,550
Legal Library	8,969
Dues & Fees	7,667
Litigation & Case Related Services	1,682
Telephone	13,585
Audit Expenses	9,156
Grant Pass Through Funds	
Contract Services	32,000
Community Outreach & Events	24,998

Non-Personnel Subtotal	<u>398,675</u>
------------------------	----------------

TOTAL OPERATING EXPENSES	<u>1,894,414</u>
--------------------------	------------------

NET OPERATIONS	<u>(68,081)</u>
----------------	-----------------

**VOLUNTEER ATTORNEYS FOR RURAL NEVADANS**

**FINANCIAL REPORT FOR 2010 & 2011**

<b>2010 INCOME</b>			<b>2010 EXPENSES</b>	
Individ/business contributions	4,555		Personnel	412,050
Rule 6.1 Contribution	25,409		Non Personnel	133,568
Fund Raisers	13,119			
Grants	373,671		Total Expenses	545,618
Filing Fees	51,645			
State Contracts	5,421			
Non Govt Contracts	39,727			
Total Income	513,547			
<b>2011 INCOME</b>			<b>2011 EXPENSES</b>	
Individ/business contributions	13,850		Personnel	394,766
Rule 6.1 Contribution	19,577		Non Personnel	96,076
Fund Raisers	9,087			
Grants	407,419		Total Expenses	490,842
Filing Fees	36,657			
Non Govt Contract	43,777			
Total Income	530,367			

# **WASHOE COUNTY SENIOR SERVICES SENIOR LAW PROJECT**

	FY2010	FY2011
<b>Revenue</b>		
Federal/State Grants	\$ 413,637.00	\$ 401,844.00
Filing Fees & Program Income	\$ 73,446.00	\$ 75,207.00
Donations & Private Grants	\$ 73,741.00	\$ 71,558.00
County General Fund	\$ -	\$ 90,000.00
County Ad Valorem Taxes	\$ 276,550.00	\$ 97,498.00
<b>Total Revenue</b>	<b>\$ 837,374.00</b>	<b>\$ 736,107.00</b>
<b>Expenses</b>		
Salaries	\$ 478,689.00	\$ 394,731.00
Benefits	\$ 188,806.00	\$ 142,895.00
Contractual Wages	\$ 126,829.00	\$ 173,627.00
Operating Expenses	\$ 43,050.00	\$ 24,854.00
<b>Total Expenses</b>	<b>\$ 837,374.00</b>	<b>\$ 736,107.00</b>

## Mandatory Pro Bono 2011 Responses (collected 2012)

These results are as of 2/27/2012. They have been collected from the reported mandatory documents, and compiled here. A total of 10,411 active and inactive members were mailed mandatory documents. As of this time, we do not have information on roughly 2,781 attorneys. The statistics follow:

7357 members responded to the Mandatory Report of Pro Bono form.

4636 members reported not doing pro bono as described in RPC 6.1.

3 of these members reported donating hours, anyway.

2 indicated donating hours of service, without indicating whether it was compliant or not.

2993 members reported doing pro bono as described in RPC 6.1.

### Individual Groups

Legal Aid Center of Southern Nevada:	48 members donated \$98,775.20
Las Vegas Senior Law Project:	10 members donated \$4250
Nevada Legal Services:	16 members donated \$5,650
Nevada State Bar (Dues Check Off):	316 members donated \$123,145 (actual)
Volunteer Attorneys for Rural Nevadans:	33 members donated \$13,320
Washoe County Senior Law Project:	3 members donated \$1,100
Washoe Legal Services:	12 members donated \$2,525

### Services:

447 donated service to the Legal Aid Center of Southern Nevada

11 donated service to the Las Vegas Senior Law Project

94 donated service to Nevada Legal Services

32 donated service to the Volunteer Attorneys for Rural Nevadans

22 donated service to the Washoe County Senior Law Project

45 donated service to Washoe Legal Services

137 members cited donation of service to Other Groups.

1886 members reported 72261.73 hours of donated service for no fee to low income clients.

909 members reported 57122.85 hours of direct legal services at a substantially reduced fee.

427 members reported 16500.05 hours of donated service to organizations addressing needs of persons of limited mean.

721 members reported 27397.77 hours of donated service improving the law or law-related education.



# **SECTION BREAK**



## MEMORANDUM

From: Kristina Marzec  
To: Access to Justice Commission  
Date: March 8, 2012  
Re: Emeritus

The State Bar recently worked with the executive directors to provide a list of all inactive attorneys for the purposes of soliciting emeritus attorney involvement. Melanie Kushnir used that information to send an email invitation to inactive members touting the benefits of emeritus service and the benefits LACSN has to offer under that program.

In researching the most successful Emeritus program in the western states to get more ideas on how to grow Nevada's program, I was lead to the program at the Oregon State Bar, which appears to be the most robust emeritus program in the country. With 176 emeritus attorneys registered, Oregon is outperforming California, with a quarter of the population size.

I contacted the program director, Kathy Petreca, to discuss her program's success. The specifics are very interesting, focused on the following factors:

1. The Emeritus program is very old, having been around for over 15 years
2. There are 15 approved EAPB providers, including religious and district court pro bono programs
3. Of Counsel attorneys are automatically also admitted Emeritus by rule (distinguish from eligible to apply as we have in Nevada). This was a windfall for Oregon when they amended the Of Counsel rule four years ago.
4. Oregon has an official "retired" status (which Nevada does not- we have exempt for over 70). When members contact the State Bar member services department to convert to retired, that staff member aggressively advocates Emeritus work. And is extremely successful.



## MEMORANDUM

From: Kristina Marzec

To: Access to Justice Commission

Date: March 9, 2012

Re: Access to Justice Commission Private Bar Summits  
(Law Firm Meetings)

### *1. Southern Nevada*

- All firms with 8 members and up (Approximately 45 invitees)
- **Proffered Date: April 9, 2012 11:30 to 1:30**

This is the only April date that works for Justice Douglas, LACSN, and scheduling of the Supreme Court conference rooms. Invitations need to go out Monday morning so I respectfully request the Commission and participating parties to approve this date or set an alternate.

### *2. Northern Nevada*

- All firms with 5 members and up (approximately 40 invitees)
- April 18, 19, or 20 are potential dates based on the Court's master calendar.

### *3. Messaging*

In addition to our regular message and ask for pro bono, I would like to be ready to incorporate a short pitch on statewide awards, which we will be doing this year at the kick off mixer pro bono week for 2011 service, and have the nomination forms there to hand out.

I am also recommending we consider issuing a specific pro bono challenge for 2012, the winner of which could be announced at the mixer, and acknowledged at the regional pro bono awards, in the bar journals, and during pro bono week.

Justice Douglas and I spoke about inviting incoming Chief Justice Cherry to attend one or both meetings as well.



## MEMORANDUM

From: Kristina Marzec

To: Access to Justice Commission

Date: March 8, 2012

Re: Commission Calendar/Important events

April	April 9 April 18, 19, or 20 April 19	Potential law firm summit, Las Vegas Potential law firm summit, Reno Nathan Edelsen Health Care Planning Day (see Sugar for details)
March		Begin IOLTA Compliance review, send data to NLF for comparison
April		Send IOLTA non-compliance letters
May	t/b/d  16-19  28	YLS/NLS Senior Outreach Day. Visit multiple senior centers on the same day  Equal Justice Conference (Chairs meeting 18 & 19) Florida State Bar Luncheon with Section Leadership
June	28-30 28, 29	State Bar Annual Convention- San Diego Next Commission meeting
Sept	t/b/d	<b>Set Commission Meeting</b>
Oct	Oct 29-Nov 2 Oct 29	National Celebrate Pro Bono Week Celebrate Pro Bono Mixer & Statewide awards
Nov	t/b/d	YLS/NLS/Project Salute <b>Set Commission Meeting</b>
Dec	7	LACSN Annual Pro Bono Awards Luncheon

State Bar of Nevada  
**2012 Annual Meeting**  
*Hotel del Coronado*

**Thursday, June 28, 2012**

7:00 A.M. - 1:30 P.M.	Registration			
7:00 A.M. - 8:00 A.M.	Continental Breakfast			
7:00 A.M. - 1:30 P.M.	Exhibits			
8:00 A.M. - 9:00 A.M.	<b>Recovery, Renewal &amp; Reinvention: Navigating the Next Decade</b> <b>Ari Kaplan</b>			<b>Trial Academy</b>
9:10 A.M. - 10:40 A.M.	<b>Breakout 1A</b>	<b>Breakout 1B</b>	<b>Breakout 1C</b>	9-10 a.m. <b>Themes &amp; Theories</b> ..... 10-11 a.m. <b>Opening Statements</b> ..... 11:05-2:15 p.m. <b>Voir dire and Opening Statements</b>
	Appellate	Pro Bono Training	Aftermath of AB273	
10:50 A.M. - 12:20 P.M.	Beau Sterling	Nevada Service Providers	Litigation Section	
	<b>Breakout 2A</b>	<b>Breakout 2B</b>	<b>Breakout 2C</b>	
	Recent Construction Law Case Update	Healthcare Reform Update	Nevada Ballot Initiatives in Court	
	Construction Law Section	Insurance and Health Law Section	Litigation Section	
12:30 P.M. - 1:30 P.M.	<b>Appellate Issues</b> <b>Judge Rawlinson</b>			
2:30 P.M. - 5:00 P.M.	<b>Beach Volleyball/Bike Tour</b>			
6:30 P.M. - 10:00 P.M.	<b>Dinner Cruise</b>			

**Friday, June 29, 2012**

7:00 A.M. - 1:30 P.M.	Registration			
7:00 A.M. - 8:00 A.M.	Continental Breakfast			
7:00 A.M. - 1:30 P.M.	Exhibits			
7:30 A.M. - 8:00 A.M.	<b>Board of Governors Swearing-in Ceremony</b>			
8:00 A.M. - 9:00 A.M.	<b>Breakfast with the Supreme Court</b> <b>Supreme Court Justices</b>			<b>Trial Academy</b>
9:10 A.M. - 10:40 A.M.	<b>Breakout 3A</b>	<b>Breakout 3B</b>	<b>Breakout 3C</b>	9:15-10:15 a.m. <b>Direct &amp; Cross Examination and Objections</b> ..... 10:20-1:20 p.m. <b>Working Lunch: Direct &amp; Cross Examination</b> ..... 1:30 - 2:30 p.m. <b>Closing Arguments</b>
	Environmental and Natural Resource Law in Nevada - Present and Future	Crossover Issues in Criminal and Family Law	Diversity	
10:50 A.M. - 12:20 P.M.	ENR Law Section	Family Law Section	Rene Valladares	
	<b>Breakout 4A</b>	<b>Breakout 4B</b>	<b>Breakout 4C</b>	
	The Criminalization of What Used to Be Just Bad Acts	The Future of Employee Privacy and Other Workplace Rights in the Age of Social Media	Advocacy in Arbitrations and Mediations	
	Real Property Law Section	Labor/Employment Law Section	ADR Section	
12:30 P.M. - 1:30 P.M.	<b>Playing Poker and other Games on the Internet: Legal?</b> <b>A.G. Burnett, Tony Cabot, &amp; Frank Fahrenkopf with Greg Giordano moderating</b>			
2:00 P.M. - 7:00 P.M.	<b>Outdoor Activities/Cocktail Reception on the Windsor Lawn</b>			

**Saturday, June 30, 2012**

7:00 A.M. - 1:30 P.M.	Registration			
7:00 A.M. - 8:00 A.M.	Continental Breakfast			
7:00 A.M. - 12:30 P.M.	Exhibits			
8:00 A.M. - 9:00 A.M.	<b>Nevada Issues</b> <b>Attorney General Catherine Cortez Masto</b>			<b>Trial Academy</b>
9:10 A.M. - 10:40 A.M.	<b>Breakout 5A</b>	<b>Breakout 5B</b>	<b>Breakout 5C</b>	8-9 a.m. <b>Jury Instructions</b> ..... 9:10-12:10 p.m. <b>Closing Arguments</b> ..... 12:10 - 12:20 p.m. <b>Closing Remarks</b>
	Draft it Forward: Drafting Tips for Non-Bankruptcy Attorneys from Bankruptcy Practitioners	Changes in Intellectual Property Law	Ethics in Nevada Loan Mods and Foreclosures	
10:50 A.M. - 12:20 P.M.	Bankruptcy Law Section	Intellectual Property Law Section	David Clark	
	<b>Breakout 6A</b>	<b>Breakout 6B</b>	<b>Breakout 6C</b>	
	Public Law Panel: Dealing with Elected Officials	Prescription Drug Abuse	Primary and General Election	
	Ben Graham, Jim Lewis	Dr. Levy, Mitchell Cobeaga	Jon Ralston	
12:30 P.M. - 1:30 P.M.	<b>Supreme Court</b> <b>Professor Erwin Chemerinsky</b>			



## MEMORANDUM

From: Kristina Marzec, on behalf of  
Judge Francis Doherty, Chair, Public Benefits Work Group

To: Access to Justice Commission

Date: October 13, 2011

Re: Public Benefits Working Group- Report Notes



---

### Executive Analysis

- Nevada has the lowest access rate of eligible people for public benefits, despite the highest case load. This is due to two primary factors:
  - The high population growth generally
  - The foreclosure crisis creating a new population of eligible people completely unaware of the available benefits
- Prior directives from the federal government pre-2003 to pay for foster care room and board through medical claims, rather than funding the general fund, have resulted in the appearance of significant eligibility denials now that those directives are no longer in place
- Waste and fraud had a significant role in the tightening of restrictions for medical services
- Despite ever increasing services, children in foster care with mental health and behavioral challenges are not improving. Two pilot programs are in the discussion phases to look at alternate models to provide the most efficient services for improved outcomes.
- The services gap will likely need to be met with increased information technology, such as online grant applications, given the current economic environment
- Service providers that have to go through HMO services for Medicare/Medicaid report a definitive increase in denials. Legislation that might have addressed that was tied up in budget negotiations last session.

### Procedural History

Judge Doherty expressed concern to the statewide Access to Justice Commission that anecdotal evidence evinced a significant increase in denials of public benefits for children coming before the 2<sup>nd</sup> Judicial Court. Co-Chair Michael Douglas approved the formation of a work group to study the issue and report back to the Commission as Judge Doherty may deem appropriate, with Commission Director Kristina Marzec to provide staff support.

**Initial planning meeting.** On December 14, 2010, Judge Doherty held an initial planning meeting with Anna Marie Johnson (Executive Director, Nevada Legal Services) to identify key stakeholders and focus areas for review. **The focus was expanded to include (1) emphasis on children being denied benefits**

and the correlation to the foreclosure crisis, (2) denials by managed care providers generally and (3) litigation strategies.

**Substantive areas of concern identified:**

- Economy resulted in a number of challenges, impact on lower incomes significant.
  - high percentage of children homeless
  - very high problems accessing federal benefits
- Identifying impact on persons in poverty in access to:
  - Federal public benefits
  - Safe housing
  - Access to health care
- Inability of clients to access public benefits
- Increase in denial of public benefits
- Effect of not having access to food stamps, TANIF, housing, children not getting medical care
- Effect of recession on seniors
- Ratio of denials to applications
- Medicaid denials
- Pattern of denials- appears hypercritical in reviews, things that used to be routinely covered are suddenly denied
- Housing authorities have 5 year wait list
- Very long lines for in-person applicants reported (people have to line up at 5 am to be helped)
- Food stamps only program with funding increase
- Autodenials increasing

**Subsequent meetings** Judge Doherty convened two subsequent meetings on February 23, 2011, and April 4, 2011. Participants included:

**Legal Aid Center of Southern Nevada**

Barbara Buckley, Esq., Executive Director  
Janice Wolf, Esq.

**Nevada Legal Services**

Anna Marie Johnson, Executive Director

**Washoe Legal Services**

Jon Sasser, Esq., Legal Aid Services Statewide Coordinator

**Washoe Senior Law Project**

Ernie Nielsen, Esq., Directing Attorney

**Washoe County, Division of Welfare and Supportive Services:**

Jeff Brenn, Chief of Eligibility and Payments  
Chuck Duarte, Administrator, Division of Health Care Financing and Policy  
Romaine Gilliland, Administrator  
Dr. Joseph Hass  
Dena Schmidt, Medicaid Program Specialist  
Carey Stewart

## **The Continuum<sup>1</sup>**

Diane Ross, CEO

## **Access to Justice Commission**

Kristina Marzec, Director, Staff Support

### **Mission Statement**

The stated mission of this working group is to examine the impact of the recession on public benefits as a whole and evaluate the viability of recommending to the Access to Justice Commission a statewide action plan.

Recommendations may include options such as proposed legislation, commissioning a third-party study, and authoring a white paper.

Focus areas to be developed:

- (1) emphasis on children being denied benefits and the correlation to the foreclosure crisis
- (2) denials by managed care providers
- (3) litigation strategies

### **Discussion Summary<sup>2</sup>**

#### **Meeting 1.**

Judge Doherty prefaced discussion by noting several colleagues were noticing difficulty in public benefits approvals, with the Judge's being juvenile justice in Washoe County. Beginning in the fall of 2009, more frequent denials of services appeared anecdotally.

The Judge noted a delay in approvals in residential treatment and mental health approvals for children, as well as many more families appearing in family court not connected to the welfare system who should be eligible (more coming in due to the recession, not having the knowledge of available services).

Mr. Duarte provided background on Division of Health Care Financing and Policy as follows. The Division is responsible for service authorizations, payment, and services available. The legislature is holding hearings on the Division's hearings and appeal process. There has not been a significant increase in appeal requests. The Division contracts through an independent group of appeals officers. As an example, in 2010, there were requests for about 700 hearing. 200 were by a provider, and 500 on behalf of recipients. 7% went to administrative review by a judge. The Division has a performance review requirement of handling administrative hearings in pre-conference to avoid costs of both sides having to go before a judge. Most of those are providers. First half fiscal year 2011, there were about 500, with the ratio of providers to recipients about the same. While this represents a slight uptick, it is not related to behavioral health, rather mostly hospital appeals, and probably a result of dramatic growth of recipients, not percentages.

---

<sup>1</sup> *The Continuum* is a community-based intergenerational health and wellness center serving clients in Washoe County from pediatrics to geriatrics and a managed-care provider of public benefits.

<sup>2</sup> Statistical data referenced is Health Care Management Quarterly Utilization (06/10-09/10) and in-stay care and services trending (2009) provided by the Division of Health Care Financing and Policy for working group review. For further information on statistical reporting, contact Division Administrator Chuck Duarte at (775) 684-3677.



The Division believes residential treatment not appropriate for children and should only be used when child meets clinical level of care that necessitates that type because it is not community based, it is institutional. The standards are rigorous to avoid having children in these settings long term. A number of issues are at play, including placement requests from juvenile justice.

With regard to mental health rehabilitation services, a funding issue has created increase in denials or reductions because of a policy that legislature put in place in 2003, essentially medicalizing services that are really parental and supervision matters. In essence, social skills and psychological social rehabilitation was used as a way of paying for foster care outside of general funds (which were not available). What should have been done was adequate funding for room and board at the outset. As a result, in the current economic environment, the rules are being enforced and there are significant reductions in this area now because original claims were never medical, they need money for supervision.

Policy revisions in 2007 and 2008 created providers opportunity to augment treatment revenues and opened the door to basic waste and abuse, as well as fraud. The Division has done subsequent studies and noted the children aren't improving, even with tons of services, because they are not getting the right services. Revisions approved in 2008 (3 year service) essentially eliminated room and board from being charged under these services, and don't allow bundled payments that could incorporate those charges.

The bottom line is the system needs more general and state revenue that just isn't there. On the federal side, the Division can only provide for medical services. Longstanding dependence on Medicaid funding is gone.

The question was posed whether those that are eligible are getting the care needed, taking into account the shifting funding policies discussed. Mr. Duarte noted the criterion has changed, starting in March 2010. The Division had to look at other criteria, including a child's recovery. Again, more services were not resulting in improved diagnosis is getting worse. From rehabilitation prospective, this had to be changed.

Peer to peer reversals are another area of concern. Noted that often the providers do not initially provide all required clinical information, particularly in Medicaid matters. A fundamental shift is that a lot of what providers are doing is not appropriate through Medicaid and it's creating a funding vacuum.

Another challenge in the rest of state (not so much Washoe) is that when in custody, children are not getting sufficient clinical psychotherapy. That's where real dollars need to be spent to effect change in behavior, augmented with a little rehabilitation services.

With regard to accessing public benefits in general such as food stamps and TANIF benefits, the sheer volume over the last 3 years has the facilities reaching capacity. In the near future, there will be electronic application and telephonic interviews. There is a real concern with a population that has never dealt with public benefits before, never navigated system, and doesn't trust an unknown system.

In Nevada, 55% of the general population eligible is actually receiving benefits, one of the lowest figures in the country, and one of the lowest participation rates for food stamps in particular. The state is not making headway on percentages being reached because total population quadrupled.

The system can improve the eligibility system to fast track. One of the things that welfare is doing a good job of is upgrading systems, kiosks, etc, and not on expanding caseload but on administrative cost reduction. That's an area perhaps of some agreement to focus on.

Noted that it sounds like Nevada has the lowest eligibility rate and the highest foreclosure. We are missing a whole new community. The politics of increasing access to welfare is a challenge.

LACSN noted its office has 10 full time attorneys dealing with children and residential treatment and is working on looking at an alternative model, maybe a pilot project, for children with serious mental health issues. Noted that in the north there is discussion ongoing how to fund a similar program.

Budget cuts and modality for treating mental health issues in abused children are two top concerns. There are many groups looking into this issue including children's advocacy, lobbying, and women's groups. Suggested that the focus might be most efficiently on barriers as it's affecting the legal system rather than advocacy.

Mr. Duarte agreed to provide statistics relevant to this discussion for the groups review.

## **Meeting 2.**

Quarterly reports provided by Mr. Duarte discussed with a view towards looking at three different areas-

- has there been a shift in approval ratings for children accessing residential and/or outpatient services inconsistent with need, and if so, why.
- eligibility challenges for welfare in general
- Nevada only uses 50% of welfare benefits
- Newly initiated poverty status

Report showed a variety of data related to several services and consistent with general conclusions proffered at meeting 1: amount of funding for basic skills, room and board, and training reduced starting in March 2010 and an increase of requests for peer-to-peer reviews seen as a result of policy shifts regarding allowable use of medical funds. The bulk of costs are fee-for-service. Most are not in county custody; one-third to one-half is in county custody and the rest in parental custody

Nevada Legal Services noted there was not an increase in demand, just a few new clients that were resolved with a phone a call. With regard to a higher denial rate for residential services in the north, it was noted that in the south, a recent study showed huge cost spikes, children not getting better, more medication, and less therapy, all resulting in a system of care that is failing. In the south in foster care, things are not working well. Suspicion there might be overbilling in treatment homes, rather than unreasonable tightening of benefits.

The overall consensus is there needs to be discussion about how to make better use of funds in hand, and continue to pay for medically appropriate services.

There are two pilot programs in the very early discussion stages right now addressing children in foster care and alternate models of care. These are linked to child welfare, not juvenile justice.

In patient lock-down facilities have concerns with requests for lengthy stays, especially right away. The flat denial rate in this respect has gone down.

With regarding to percentages of people getting benefits, it was again noted the numbers show that over the last decade, while the number of people accessing benefits continues to grow, percentage of population doesn't grow in Nevada because of the continued booming population growth. Food stamps for example project Nevada as one of the highest case-loads in the country, yet still ranked 52 for overall eligibles. Caseloads get higher than ever, but percentages stay the same

There is no more room, no more money for brick and mortar, so policy makers are looking to information technology to fill the gaps and help make better process.

To the extent there is a recognized 50 % access rate in Nevada, this abject new poverty class is falling through foreclosure trap and people are not aware of or how to access benefits. Courts are seeing in some cases up to 10 cases a day half of which are eligible to some benefits and had no idea.

The Division has been talking about using a grant to expand use of online application resources, which will improve efficiency and address a service gap. That does mean however you can request less staff, as the total dollars available between the two does not change.

The current projected service gap is 20% between projected case load and ability to serve. Nevada still has the lowest participation in the county, even with the highest caseloads ever seen.

The Continuum, a provider of services, noted that denials have never been this high. Amerigroup is one of two HMOs that do TANIF, and you have to go through them to the state to get Medicaid. It was noted that regulations that would have dealt with are tied up in budget negotiations. There are also anecdotal reports that some people are being discouraged from applying for benefits by staff.

The group concluded that all available evidence had been reviewed and that the barriers appeared to be centered in funding and policy. Judge Doherty will report the group's observations to the Access to Justice Commission.

# **SECTION BREAK**

# CIVIL LAW SELF-HELP CENTER STATISTICS

January 2012

1/3/2012 to 1/31/2012 (21 operating days)

## General

Total number served (per Q-Matic) for month	3,512	Total number served in 2011	3,512
Total number of intake forms collected	275	% of parties returning forms	8%
Total number of intake forms sampled	275	% of collected forms sampled	8%

## Biographical Data

### Ethnicity:

White	113		44%
Black	79		31%
Hispanic	45		17%
Asian	8		3%
American Indian	2		1%
Other	11		4%
No Response Provided	17		6%

### Age:

60 and over	30		12%
No Response Provided	32		12%

### Sex:

Male	107		41%
Female	154		59%
No Response Provided	14		18%

### Court Case Pending In:

District Court	34		17%
Justice Court	151		77%
Las Vegas	26		17%
Henderson	1		1%
North Las Vegas	1		1%
Other	6		4%
No Case or No Response Provided	80		29%

### Represented by an Attorney:

Yes	9		4%
No	222		96%
No Response Provided	44		16%

### Number of Visits to the SHC:

One	161		66%
Two	50		21%
Three	15		6%
More	17		7%
No Response Provided	32		12%

### Reason for Visit to the SHC:

Appeal	15		6%
Auto Sale/Lease, Repair, Towing	1		0%
Consumer Debt or Loan	9		3%
Contract Dispute	2		1%
Employment Dispute	1		0%
Foreclosure Mediation Assistant	18		7%
Garnishment or Execution	8		3%

Harassment or Protection Order	28		11%
Homeowner Eviction	16		6%
Judicial Review	3		1%
Landlord/Tenant Dispute or Eviction	106		40%
Mediation	8		3%
Mobile Home Sales, Repairs, or Eviction	11		4%
Personal Injury/Property Damage	2		1%
Small Claims Case	24		9%
Other	35		13%
No Response Provided	9		3%
<b>Employed:</b>			
Yes	114		45%
No	142		55%
No Response Provided	19		7%
<b>Annual Household Income:</b>			
Under \$10,000	75		37%
\$10,000 to \$20,000	48		24%
\$20,000 to \$30,000	28		14%
\$30,000 to \$40,000	19		9%
\$40,000 to \$50,000	12		6%
\$50,000 plus	19		9%
No Response Provided	74		27%
<b>Benefits Received:</b>			
Social Security/Disability	46		39%
Unemployment	27		23%
TANF/Food Stamps	61		52%
Subsidized Housing Benefits	2		2%
No Response Provided or No Benefits Received	157		57%
<b>Satisfaction Data</b>			
Out of total providing satisfaction information:			
<b>Overall satisfaction:</b>			
Very Satisfied	220		84%
Satisfied	43		16%
Unsatisfied	0		0%
Very Unsatisfied	0		0%
No Response Provided	12		4%
<b>The staff was knowledgeable and listened to what I had to say:</b>			
Strongly Agree	206		80%
Agree	46		18%
Disagree	2		1%
Strongly Disagree	0		0%
No Opinion	4		2%
No Response Provided	17		6%
<b>The staff's explanations and answers to my questions were clear and understandable:</b>			
Strongly Agree	206		79%
Agree	51		20%
Disagree	0		0%
Strongly Disagree	0		0%
No Opinion	3		1%
No Response Provided	15		5%

<b>I understand the court process and my situation better now than before I came to the Self-Help Center:</b>			
Strongly Agree	182		70%
Agree	65		25%
Disagree	2		1%
Strongly Disagree	0		0%
No Opinion	10		4%
No Response Provided	16		6%
<b>The forms and other written materials at the Self-Help Center were clear, helpful, and instructional:</b>			
Strongly Agree	197		76%
Agree	53		21%
Disagree	1		0%
Strongly Disagree	0		0%
No Opinion	6		2%
Did Not Receive Forms or Materials this Visit	1		0%
No Response Provided	17		6%
<b>In filling out my forms today, the staff's assistance and direction was helpful:</b>			
Strongly Agree	202		79%
Agree	49		19%
Disagree	1		0%
Strongly Disagree	0		0%
No Opinion	3		1%
Did not fill out forms during this visit	2		1%
No Response Provided	18		7%
<b>The Self-Help Center's website was user-friendly and informative:</b>			
Strongly Agree	115		46%
Agree	49		20%
Disagree	3		1%
Strongly Disagree	2		1%
No Opinion	16		6%
Have Not Visited the Website	65		26%
No Response Provided	25		9%
<b>Other Comments and Suggestions</b>			

Very friendly. Great environment. Quick & Easy. (Patricia)

Anna was very helpful. Courteous.

The individual who has helped me "Pam" has already exceeded my expectations upon requesting self-help forms for an illegal eviction. Pam has taken the time to put me in the correct direction.

Very nice people, knowledgeable & friendly.

Pam Pearson was amazing, extremely helpful, knowledgeable and helped us immensely with our eviction case! She needs a raise!!

Very informative and helpful.

Very good customer services skills helping the customer.

The staff was wonderful. They really helped me using the computer to fill and complete the answer to a summons.

Yo estoy totalmente satisfecho por la ayudade Irene que resivi. Yles doy mis mas sinceras gracias.

Y felicitaciones por su trabajo y ayada

This is a vital service to those who need assistance and know not where to go. The staff was most helpful.

I been here several times. Very happy about service. I will thank all of you for service.

As my internet is cricket & I'm not softward Im hardward log (old school) \*Thank Jesus for the Big Baliff

(African Amer) who directed me w/ knowledge... \*Upon arrival explained matters & Hispanic woman said w/ all her experience she couldn't help! \*I returned to another matter - & was assisted by the Lewis & Clark Self Help Angel, "Pam" :) As a life long resident, was proud to know my situation is as important as any other cases. Treated w/ courtesy & Respect THX!

They did a great job.

Ready & willing support & knowledgeable info.

Muy satisfactorio de su parte "gracias" Patricia

Lovely!

Thank you for putting a self help center in here.

Pamela Pearson was extremely helpful & very friendly making a very painful & stressful situation a little easier to handle and bear. "(Thank you Heavenly Father)"

Had no idea what I needed to do until I was given help by staff here.

Everyone has been very helpful in this process. I should have come here before with other matters.

The legal aid center is an EXCELLENT use of my tax dollars!

The staff was fantastic!

The ladies were wonderful.

I would like to thank Pam for her patience and helping me out.

Patricia very nice young woman. Very helpful. I hope I got her again if I have to come back here again.

Very friendly staff; helpful and met my needs.

Pam was very helpful and I'm glad she was here to help me.

The staff was very helpful & patient. We appreciated their services. They made us feel at ease during this stressful time.

Thank you very much.

I received information on what steps to take next. I was also given advised on what might be the procedure.

The staff was very kind in a very upsetting situation - thank you!

The staff was extremely helpful & knowledgeable when guiding me through the process

The lady was a very helpful & informative person who showed a lot of care, patience & respect when helping.

Pam was so friendly & helpful :) Jim too!

Great!

The staff is very professional and very knowledgeable and very courteous to all people, supplying all their needs & answering all there questions.

The lady was extremely helpful. I appreciate the way she handled my situation. Thank you to her!

Very good staff.

She was very friendly and very helpful.

The Self-Help Center has helped me for over a year on the unemployment case. They have gone out of their way to help me and I'm ever in their debt.

She was extremely helpful & friendly.

Lupe was very helpful. I'm glad that she is here as a employee. Thank you

The lady that helped me was extremely helpful and professional.

She was very helpful and informative. Give her a raise!

I'm Happy Patricia Very

Anna was very helpful in giving documents needed even though it was out of her area. Thank-you

I was very pleased with the help I gotten today from Patricia

Yvette es muy cmopetete, atenta, bonita y chistosa gracias Yvette!

Muy buenos. La senorita Yvette ??? Dyodo a pasay en ingles pucs to no lo podia hacer.

Pam was exceptionally helpful with her knowledge and her patience. An asset to the courthouse.

Greatly appreciate the service given to me today very helpful.

Very courteous.

Wish this was more available 24 hrs. I work 6 twelve's 3a - 3p

My visit to the help-self center answered all my question - was very understandable, my situation before

I came to the center explained to me about my court process.



Anna has been extremely patient and very helpful throughout the process.  
Nice & helpful, friendly.  
Very friendly  
Patricia was very pleasant & informative. Thank you!  
Received more literature to learn what can be done.  
Pam was so helpful and kind she is awesome :-)  
Regarding tenants answer/retaliation due to repairs of toilet made of landlord which Pam very helpful & patient she was great. He responded with a 5 day pay or quit even when we offered to pay it. On line @ least a dozen times  
The lady Ms. Pam that helped me was very helpful and very nice. They deal with a lot of crazy people but they maintain professional at all times.  
La senorita Patricia fue mui amable con migo y iso lamas quepude para resulber micaso muchas gracias  
Ladies in self help very nice & helpful.  
Thanks for your help  
Very very helpful  
Pam was very helpful and very much appreciated  
Need to work on online service ??? FORMS  
I wish this form was online (Clark County Court website)  
I was very satisfied  
This place is great help wonderful  
The man who helped me, Jim Berchtold, was excellent in information and the help I needed to receive for my situation. The receptionists were helpful as well.  
Pam was very helpful and guided me through the process.  
I was very stressed to be going through this process and the staff was very patient with my mistakes.  
I am very grateful.  
Totalmente satisfecha con la ayuda, en especial Patricia  
Jim has been so helpful and very professional & precise. Love his work.  
Thank you I was lost!  
The entire Justice Court website is very funny in general. The actual people in the Self-Help Center are knowledgeable  
Pam - great service!  
The Self Help Center did very good in help me get all my information that I need.  
Thank you.  
Pam was awesome very thorough and knowledgeable :-)  
Very helpful. Thank you.  
I sincerely appreciate the time & help & assistance thank you!  
Thank you very much!!  
The website was somewhat confusing for a novice. Much better to come to the center and have it explained in person.

# CIVIL LAW SELF-HELP CENTER STATISTICS

December 2011  
12/1/2011 to 12/30/2011 (21 operating days)

## General

Total number served (per Q-Matic) for month	3,555	Total number served in 2011	45,427
Total number of intake forms collected	133	% of parties returning forms	4%
Total number of intake forms sampled	133	% of collected forms sampled	4%

## Biographical Data

### Ethnicity:

White	52		41%
Black	28		22%
Hispanic	31		25%
Asian	8		6%
American Indian	1		1%
Other	6		5%
No Response Provided	7		5%

### Age:

65 and over	11		9%
No Response Provided	17		13%

### Sex:

Male	60		47%
Female	69		53%
No Response Provided	4		14%

### Court Case Pending In:

District Court	35		42%
Justice Court	49		58%
Las Vegas	8		16%
Henderson	0		0%
North Las Vegas	0		0%
Other	3		6%
No Case or No Response Provided	49		37%

### Represented by an Attorney:

Yes	8		7%
No	100		93%
No Response Provided	25		19%

### Number of Visits to the SHC:

One	62		55%
Two	15		13%
Three	14		12%
More	22		19%
No Response Provided	20		15%

### Reason for Current Visit to the SHC:

Appeal	17		13%
Auto Sale/Lease, Repair, Towing	2		2%
Consumer Debt or Loan	4		3%
Contract Dispute	3		2%
Employment Dispute	1		1%
Foreclosure Mediation Assistant	13		10%
Garnishment or Execution	9		7%

Harassment or Protection Order	9		7%
Homeowner Eviction	3		2%
Judicial Review	6		5%
Landlord/Tenant Dispute or Eviction	34		26%
Mediation	9		7%
Mobile Home Sales, Repairs, or Eviction	2		2%
Personal Injury/Property Damage	1		1%
Small Claims Case	9		7%
Other	21		16%
No Response Provided	3		2%
<b>Employed:</b>			
Yes	51		43%
No	69		58%
No Response Provided	13		10%
<b>Annual Household Income:</b>			
Under \$10,000	40		42%
\$10,000 to \$20,000	14		15%
\$20,000 to \$30,000	12		13%
\$30,000 to \$40,000	16		17%
\$40,000 to \$50,000	5		5%
\$50,000 plus	8		8%
No Response Provided	38		29%
<b>Benefits Received:</b>			
Social Security/Disability	18		42%
Unemployment	5		12%
TANF/Food Stamps	25		58%
Subsidized Housing Benefits	1		2%
No Response Provided or No Benefits Received	90		68%
<b>Satisfaction Data</b>			
Out of total providing satisfaction information:			
<b>Overall satisfaction:</b>			
Very Satisfied	114		91%
Satisfied	11		9%
Unsatisfied	0		0%
Very Unsatisfied	0		0%
No Response Provided	8		6%
<b>The staff was knowledgeable and listened to what I had to say:</b>			
Strongly Agree	115		89%
Agree	13		10%
Disagree	0		0%
Strongly Disagree	0		0%
No Opinion	1		1%
No Response Provided	4		3%
<b>The staff's explanations and answers to my questions were clear and understandable:</b>			
Strongly Agree	110		86%
Agree	16		13%
Disagree	0		0%
Strongly Disagree	0		0%
No Opinion	2		2%
No Response Provided	5		4%

<b>I understand the court process and my situation better now than before I came to the Self-Help Center:</b>			
Strongly Agree	94		75%
Agree	23		18%
Disagree	3		2%
Strongly Disagree	1		1%
No Opinion	5		4%
No Response Provided	7		5%
<b>The forms and other written materials at the Self-Help Center were clear, helpful, and instructional:</b>			
Strongly Agree	98		76%
Agree	26		20%
Disagree	0		0%
Strongly Disagree	1		1%
No Opinion	3		2%
Did Not Receive Forms or Materials this Visit	1		1%
No Response Provided	4		3%
<b>In filling out my forms today, the staff's assistance and direction was helpful:</b>			
Strongly Agree	110		86%
Agree	15		12%
Disagree	0		0%
Strongly Disagree	0		0%
No Opinion	1		1%
Did not fill out forms during this visit	2		2%
No Response Provided	5		4%
<b>The Self-Help Center's website was user-friendly and informative:</b>			
Strongly Agree	76		62%
Agree	11		9%
Disagree	0		0%
Strongly Disagree	0		0%
No Opinion	5		4%
Have Not Visited the Website	31		25%
No Response Provided	10		8%
<b>Other Comments and Suggestions</b>			

Very knowledgeable, understanding and very helpful especially Patricia. Thank you for very supportive staff.

Pamela was Great!! For once it was a pleasure to be at the court house. :-)

Irene was extremely helpful while filling out forms on the computer. Thank you. Initially I went on the Web-Site at my residence and had difficulty locating the appropriate forms to complete. Overall a good experience in the action that I am completing (civil)

I appreciate the help.

Great! Great! Great!

Irene did a great job of working with more than one person at a time and still made them feel like her priority

Excelente servicio de este departamento especial maete de ea sra: Irene Belcher, mil gision.

Without this center and the help of Irene Belcher, and other employees, I would never have a chance to accomplish my review. Thank you!!

Miss Anna Caceres was very helpful & nice.

Son muy atentos y realmente me ayudan. Me atendio senorita Irene

Overall management of self help center is very good for these challenging times. Small claims education needs improvement. Class needs upgrading. More info needs to be given at class (real life info).

Miss Irene she is very helping in everything she like help every people in all the way

Thorough, skilled, clear and extremely helpful.

The staff was very helpful as well as very compassionate.

Irene took the fear out of being sued and gave me referrals to seniors agencies I did not know existed. Thank you Irene!

Irene has helped me from the beginning up until my hearing. I have a hearing pending on my unemployment.

Whatever the outcome, I will always be grateful because without Irene's help, I would have given up even at the beginning.

Irene explains everything in such detail there are no questions in my mind every time I need help - she is truly the best!

Irene Belcher, Delshanna Moore, Pamela Pearson, and Lupe Delesma and everyone that works here. If it wasn't for this people listed above. I don't know what to do. Thank you for all your help. Also thanks to Jim Berchtold for keeping this place running. If any questions feel free to call me or email me. If I didn't care about these people, I wouldn't asked and wrote everyone's name down, and thank you again for everything. Sgt. Marquez, Juan

They help me a lot thank you for your help :-)

Irene went out of her way (as usual) to assist us she gave up her lunch time - all above & beyond her call to duty

I absolutely love coming here for help. Irene is the go-to person. She goes above and beyond always.

Thank you so much for your help. I am eternally grateful.

I really appreciate this office's help. These people are very professional in their work. I do not know what I would have done without them :)

The lady who help me is very good at helping and have excellent knowledge and know how of this office (Irene Belcher)

The service was very helpful and courteous. \*By Irene Belcher\*

Very happy with the help

Excelente ayuda reciso de la sra: Irene Belcher es eu Angel que dios mos cuvio a este "place" pasa ayuslan nos a todas en persono sue no babemosde leges y mucho minos yue uo habloamos perfecto English. Es por eso que yo de pido a dios que le de mucha salud, babiduria y pacien eia para seguís ayundacido a to dor los person o que la nesecitomos. Sra: Irene mil beudieiones y grocios por darmor la ayuda que nese citomos. Atentqunicete.

Nos dieron la ayuda nesesaria - Patricia

Irene, always very helpful, I'm very thankful that she are very willing to assist me with my problems.

Hoy dia es como todas los reces gue neuyo Geiibe uen. Excelente serviio y explicacion sobne ueu problema dela sro Irene Belcher que dios ce de a usted Irene mil beudiciones para usted y su familia

This is the ending to a new beginning. The final days to my court date are upon me. Irene's passion for the job inspired me to pay it forward. Win or lose I plan on donating my time to help others, who never had to do this. I want to help the people make an impact, while fighting for justice. Win or lose will be the closure. Thanks Irene!

Thank you!

Irene was very helpful. She explains clearly.

I felt very comfortable working with Anna Caceres

Lupe is nice and did good job

All people in the legal field need to know, understand & put a stop to "criminal acts" being committed by "oath-breaking" judges! ASAP!!! "Foreclosure fraud" is in epedemic proportions & is resulting in deaths of fellow Nevadan people! PLEASE, do not wait for evil to come for you? There may be "no one to complain to."

Very nice and extremely helpful people!

Every time I come to the self help center, I learn something new the staff is very very kind & helpful  
Thank-you

Pleasant & willing to help with numerous procedures. :-) very courteous and cheerful while assist numbers of people at the Self Help Desk. Willing to go an extra mile.

Irene was very helpful and very informative.

Irene was very helpful and very active in helping us.  
 Irene is very knowledgeable employee :)  
 Irene was very helpful and nice.  
 Need more advertising to let people know you are here-  
 Irene was spectacular  
 Toda las personas que trabaja en este departamento ace buen toabado y buena artituy repesto Irene  
 Irene was wonderful!  
 Ana is very helpful.  
 Awesome help!  
 Irene es una gran trabajadora de esta oficina, ella me aaryudado mucho, en haer my apelacion referente a  
 workers comp. espero que valoren a Irene como una gran trabajadora  
 Irene is very considerate, knowledgeable and caring. She had helped us with our many problems.  
 Ladies were very helpful, and made my visit very fast and dependable.  
 Irene was enormously helpful!  
 (Irene Belcher) extremely helpful with my legal process. I hope she's here for me in the future, should I  
 need legal assistance again. Merry Christmas  
 Thank you!!!  
 They had great attitude while under stress and very busy.  
 You guys are being so nice.  
 Anna Caceres has amazing follow up!  
 Estoy muy agradecida for la asistencia recivida de la senorita Patricia McGuire, muy eficiente y profesional  
 muchas gracias  
 I am thankful for all your help  
 All I can say is thank you for your help  
 Irene Belcher was very helpful & nice  
 Irene Belcher (tutor) was extremely helpful and I would not hesitate to use the Help Center again  
 Irene is such a great help, she is awesome at her job and I love when she helps  
 Recivi ayuda profecional de pate de Irene Belcher  
 I really like the way that Irene R. Belcher help me and my mom she answer are questions really good.  
 La senora Irene B. me atendio muy bien y resibi una gran expllcacion de todo lo que to te pregante tuve  
 una gran atencion  
 Excelente esplicacion, como sieuepore cada sez que neugo a este lugor. Irene Belcher. Que dios la beugiga

# **SECTION BREAK**

## Access to Justice Commission

October 2011 (includes slots approved by Commission but pending official rule change to SCR Rule 15)

Last	First	Title	Position	Rule Slot	SCR 15§	Email
Kushnir	Melanie		Pro Bono Project Director	Legal Aid Center of Southern Nevada	2(e)	<a href="mailto:mkushnir@lacs.org">mkushnir@lacs.org</a>
Wall	Hon. David		State Bar BOG member	State Bar Board of Governors	2(f)	<a href="mailto:dwall@mainorlawyers.com">dwall@mainorlawyers.com</a>
Cooney	Valerie		Executive Director	Volunteer Attorneys for Rural Nevadans	2(e)	<a href="mailto:vcooney@varn.org">vcooney@varn.org</a>
Desmond	John			Washoe County Bar	2(f)	<a href="mailto:jpd@jonesvargas.com">jpd@jonesvargas.com</a>
Doherty	Frances	Hon.		Second Judicial District Court/ Family Court	2(a)	<a href="mailto:frances.doherty@washoe courts.us">frances.doherty@washoe courts.us</a>
<b>Douglas</b>	<b>Michael</b>	<b>Justice</b>	<b>Commission Co-Chair</b>	Supreme Court of Nevada	2	<a href="mailto:mdouglas@nvcourts.nv.gov">mdouglas@nvcourts.nv.gov</a>
Elcano	Paul		Executive Director	Washoe Legal Services	2(e)	<a href="mailto:pelcano@ashoelegalservices.org">pelcano@ashoelegalservices.org</a>
Barker	David	Hon.		Eighth Judicial District Court	2(a)	<a href="mailto:barkerd@clarkcountycourts.us">barkerd@clarkcountycourts.us</a>
<b>Hardesty</b>	<b>James</b>	<b>Chief Justice</b>	<b>Commission Co-Chair</b>	Supreme Court of Nevada	2	<a href="mailto:jhardesty@nvcourts.nv.gov">jhardesty@nvcourts.nv.gov</a>
Johnson	Anna Marie		Executive Director	Nevada Legal Services	2(e)	<a href="mailto:ajohnson@nslaw.net">ajohnson@nslaw.net</a>
Kandt	W. Brett		Office of the AG	Public Lawyer-des by Attorney General	2(d)	<a href="mailto:bkandt@ag.nv.gov">bkandt@ag.nv.gov</a>
Nielsen	Ernest (retired)		<b>Replacement t/b/d</b>	Washoe Co. Senior Law Project	2(e)	
			Replacement needed for Judge Puccinelli	Fourth Judicial District Court/Rural rep	2(b)	
Traum	Prof Anne	Professor		UNLV Boyd Law School-faculty	2(g)	<a href="mailto:Anne.Traum@unlv.edu">Anne.Traum@unlv.edu</a>
Vogel	Sheri Cane		Executive Director	Senior Citizens Law Project	2(e)	<a href="mailto:svogel@lasvegasnevada.gov">svogel@lasvegasnevada.gov</a>
Sternberg	Ira David			Layperson 1- PR consultant	2(h)	<a href="mailto:isternberg@cox.net">isternberg@cox.net</a>
Steinheimer	Connie	Hon.		Defunct slot- Washoe Access to Justice Foundation	2(e)	
				Defunct slot-Eight Judicial Pro Bono Foundation	2(e)	
Sullivan	Frank	Hon.		Clark County Bar/family court	2(f)	<a href="mailto:sullivanf@clarkcountycourts.us">sullivanf@clarkcountycourts.us</a>
				Limited Jurisdiction Judge; Liaison to Nevada Judges Association	2(c)	
<i>Vacant</i>						
<i>Vacant</i>				Layperson 2	2(h)	
New				Nevada Law Foundation	2(e)	
New				State Bar Young Lawyers	2(f)	
Steinheimer	Connie	Hon.		At large 1	*2(i)	<a href="mailto:judge.steinheimer@washoe courts.us">judge.steinheimer@washoe courts.us</a>
New				At large 2	*2(i)	
New				At large 3	*2(i)	
Perlick	Jessica			PILA student Representative	*2(g)	<a href="mailto:perlickj@unlv.nevada.edu">perlickj@unlv.nevada.edu</a>
Marzec	Kristina		Commission Ex. Dir.	Staff	2	<a href="mailto:kristinam@nvbar.org">kristinam@nvbar.org</a>







## 2011 PROGRAMS AND PROJECTS ACCESS TO JUSTICE COMMISSION

### **a. IOLTA campaign**

- i. Maintain banking relationships
- ii. Enforcement
  - Possible Rule Change to SCR 217 to provide penalty for non-compliance
- iii. Marketing IOLTA to members
- iv. IOLTA compliance review
- v. Recognizing banks that provide higher interest and additional support

### **b. Communication, Marketing, and Lawyer Recognition**

- i. IOLTA
- ii. Website
  - Launch new website as the recognized statewide source for ATJC; coordinate with courts and existing major online resources
- iii. Develop marketing plan and statewide statement of needs
- iv. Increase lawyer recognition
  - ATJC statewide awards with Professionalism summit
  - Increase honor roll
  - Incorporate individual attorney spotlights, rotate north and south
- v. Pro Bono week- focus on lawyer accomplishments

### **c. Fundraising and Development**

- i. Statewide Fundraising Plan
- ii. Alternative sustainable funding sources

### **d. Statewide Service Delivery Issues**

- i. Strategic planning for statewide delivery- establish position and duties
- ii. Rural Courts legal services delivery
  - Continue outreach to community centers and libraries
  - Continued work on connectivity and technology issues
  - Service development
  - Provider communication with judges and court staff in rurals
- iii. Law Firms & Private Bar involvement
  - Increase Law firm participation in pro bono
  - Meet with specialty bars
  - Increase involvement of sections
  - Follow up on law firm meetings
- iv. Increase involvement of Self-Help Centers
  - Standardized Forms
  - Coordinate with Supreme Court Library Commission
  - Coordination among programs for optimal service development
  - Technology
  - Coordination with ATJC website initiative
- v. Emeritus Program

### **e. Organizational Structure**

- i. Recruit new volunteers for work groups and committees
- ii. Consider changes to Rule 15

### **f. Rule Changes**

- i. Court Rule Changes benefiting legal services clients

**Ongoing collaborative goals of the Legal Aid Provider Executive Directors:**

- *NLF Funding Sources*
  - *long term*
  - *statutory entitlement*
  - *IOLTA*
- *Promoting legal Services and pro bono*
  - *law firm meetings*
  - *pro bono week*
  - *ask of judges*
  - *asks of members*
  - *minimum standards*
- *Court Rule Changes benefiting legal services clients*
  - *dedicated court calendars by subject*
  - *mediation prior to eviction*
  - *SCR 216, RPC 6.1, cy pres*



**NEVADA SUPREME COURT ACCESS TO JUSTICE**

**STANDING COMMITTEES**

Updated February 2012

**RURAL SERVICES DELIVERY** *est. April 2009*

**Justice Douglas- Chair**

**Amber Candelaria**

**Valerie Cooney**

Judge Dahl

Judge Davis

Judge Dory

Judge Fletcher

Anne Heck (AOC)

**Anna Johnson**

Judge Lane

Judge Maslach

John McCormick (AOC)

Judge Papez

Judge Wagner

Judge Wambolt

**COMMUNICATIONS**

Needs Assessment Marketing

Public Interest Lecture Series

Recruitment and Retention

LRAP- Development

Fellowships- LSD

Benefits and Salaries- LSD

Mandatory Reporting

Website

**Brett Kandt**

**Judge Doherty**

Christine Smith

William Heavilin

**Scott Roedder- ex officio**

**DEVELOPMENT**

IOLTA comparability/minimum standards

LRAP

Recruitment/Retention

2009 Fellowship- Thronson

LRAP- work group Lynn, Anna, Valerie

Retirement/benefits/salaries- Paul

Deferred to 2010:

Cy Pres-Paul

Division of Aging Funding concerns

Court Posted Fees

Nye County

Real Estate Escrow Funds

**Ernie Nielsen**

**Paul Elcano**

**Valerie Cooney**

Nancy Becker

**Anna Johnson**

Lynn Etkins

## **LEGAL SERVICES DELIVERY**

Pro Bono Recognition

Pro Bono Week- also with Communications

State Wide Award- Renee

Nevada Lawyer

Emeritus- Kimberly

Self Help

Standardized Forms-Justice Douglas, Chair, Supreme Court Library Commission

Hotlines, continuum of care issues

Standardized Reporting (provider statistics)

Law Firm initiatives

**Paul Elcano (ED)**

**Sugar Vogel (ED)**

**John Desmond**

**Judge Steinheimer**

**AnnaMarie Johnson (ED)**

**Ernie Nielsen (ED)-Chair**

**Valerie Cooney (ED)**

Barbara Buckley (ED)

Lynn Etkins

Odessa Ramirez

Renee Kelly

Christopher Reade

Amber Candelaria

James Berschtold

## **FUND DISTRIBUTION**

TBD

**\*\*Bold = Current ATJ Commission members.**



## NEVADA SUPREME COURT ACCESS TO JUSTICE COMMISSION

The Supreme Court Access to Justice Commission is seeking lawyers to participate on Committees which are part of this Commission. Participation will be by appointment only. AJC is seeking lawyers who have the time and interest in the work of the AJC. No prior experience working on a local or state committee is required. The AJC requires an eagerness to help those less fortunate in Nevada get access to the courts and the legal system.

The AJC was created to:

- 1) Assess current and future needs for civil legal services for persons of limited means in Nevada.
- 2) Develop statewide policies designed to support and improve the delivery of legal services.
- 3) Improve self-help services and opportunities for proper person litigants and increase pro bono activities.
- 4) Develop programs to increase public awareness of the impact that limited access to justice has on other government services and on society.
- 5) Investigate the availability of and pursue increased public and private financing to support legal services organizations and other efforts to provide legal services to persons of limited means.
- 6) Recommend legislation or rules affecting access to justice to the Supreme Court.

Under SCR 15, the Access to Justice Commission directly creates and appoints its committees. At present, there is no minimum or maximum membership and appointments are made as deemed necessary and proper. The Co-Chairs, Chief Justice Hardesty and Justice Michael Douglas, have deemed expansion of all Committees to be appropriate at this time and therefore will be making appointments in the next quarter. The Commission may also add new Committees and/or working groups, and consider expansion of the Commission itself, in future.

Communications	Development	Legal Services Delivery	Rural Services Delivery
<b>Focus</b>			
marketing and communication of Commission programs and initiatives to the membership and the public where appropriate	develop viability of funding for new programs, or identify potential sources of future funding from existing sources for Commission initiatives and programs	state-wide delivery of civil legal services, recognition programs for pro bono programs and attorneys, and outreach to the legal community on emergent issues. This Committee is generally intended for legal services professionals currently involved in part of the continuum of care for civil legal aid in Nevada.	Focus on the provision of legal services to rural communities and limited jurisdiction courts, with emphasis on technology- based solutions and increased pro bono lawyer participation. This group works closely with the existing AOC Rural Court Technology project.
<b>Current projects</b>			
Needs Assessment Marketing; Public Interest Lecture Series; Recruitment and Retention; Mandatory Reporting;Website expansion	Loan Assistance LRAP; Court Posted Fees : Real Estate Escrow Funds; Recruitment/Retention; Fellowship; Cy Pres	Pro Bono Recognition National Pro Bono Week; mandatory reporting; Statewide Award; Emeritus; Self Help; Standardized Forms; Standardized Reporting (provider statistics); Law Firm initiatives	Technology Connectivity Informational brochure

# **SECTION BREAK**



## Rule 15. Commission on Access to Justice.

1. **Creation, purpose.** The supreme court shall appoint a commission on access to justice. The commission shall:

(a) Assess current and future needs for civil legal services for persons of limited means in Nevada.

(b) Develop statewide policies designed to support and improve the delivery of legal services.

(c) Improve self-help services and opportunities for proper person litigants and increase pro bono activities.

(d) Develop programs to increase public awareness of the impact that limited access to justice has on other government services and on society.

(e) Investigate the availability of and pursue increased public and private financing to support legal services organizations and other efforts to provide legal services to persons of limited means.

(f) Recommend legislation or rules affecting access to justice to the supreme court.

2. **Composition.** The access to justice commission shall be staffed by an executive director and composed of the chief justice of the supreme court or the chief justice's designate and the following members, to be appointed by the supreme court to four-year terms:

(a) One district judge each from the Second and the Eighth Judicial District Courts. At least one of those judges must be assigned to the family division of the district court.

(b) One additional district judge to be selected from the First, Third, Fourth, Fifth, Sixth, Seventh, or Ninth Judicial District Courts.

(c) One limited jurisdiction judge, who shall serve as liaison to the Nevada Judges Association.

(d) One public attorney representative designated by the Nevada Attorney General.

(e) One representative each from the City of Las Vegas Senior Citizens Law Project, ~~[Clark County Legal Services/Pro Bono Project]~~ Legal Aid Center of Southern Nevada/ Pro Bono Project, ~~[the Eighth Judicial District Pro Bono Foundation]~~ the designated tax exempt bar foundation pursuant to SCR 216, Nevada Legal Services, Volunteer Attorneys for Rural Nevadans/Domestic Violence Project, ~~[the Washoe Access to Justice Foundation,]~~ the Washoe County Senior Law Project, and Washoe Legal Services/Pro Bono Project.

(f) One representative each from the Clark County Bar Association, the State Bar of Nevada Board of Governors, the State Bar of Nevada Young Lawyers Section, and the Washoe County Bar Association.

(g) One student representative of the Public Interest Law Association and ~~[one faculty representative from [the clinical program at] the William S. Boyd School of Law of the University of Nevada, Las Vegas, designated by the Dean.~~ Individual appointments under this subsection may be rotated in less than four year terms.

(h) Two persons who are not members of the legal profession[-]

(i) Three at-large representatives. Appointments under this subsection may be rotated in less than four year terms as the Commission deems necessary and proper to facilitate diversity and fulfill the Commission's purpose.

The commission may appoint nonvoting members, including, but not limited to, judges and representatives from other direct service providers, county bar associations, and neighborhood pro bono projects.

3. **Meetings.** The commission shall meet at least semi-annually and shall have additional meetings, as the commission deems appropriate. The commission may form separate subcommittees to address specific issues.

# **SECTION BREAK**

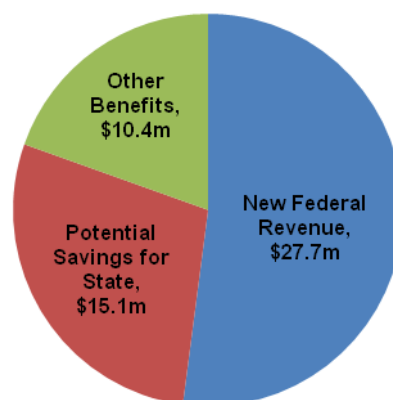
# Massachusetts Legal Assistance Corporation

## Economic Benefits of Civil Legal Aid: How Legal Aid Boosted the Commonwealth's Economy in FY11

**The work of legal aid programs funded by the Massachusetts Legal Assistance Corporation (MLAC) brings in millions of federal dollars each year, wins millions more in financial support for low-income Massachusetts residents and saves the state the expense of costly social services.**

In FY11, new revenue for civil legal aid clients and cost savings to the Commonwealth won by legal aid totaled an estimated **\$53.2 million**. Of this amount, **\$27.7 million was in the form of new federal revenue**. The state appropriation for MLAC in FY11 was only \$9.5 million.

Total = \$53.2 million



*The full report is available at  
<http://www.mlac.org/research.html>.*

---

### New Federal Revenue Brought into the Commonwealth: **\$27.7 million**

- **SNAP (Food Stamps): \$8.6 million**  
Policy changes spearheaded by the Massachusetts Law Reform Institute were responsible for bringing an additional \$8,595,530 in federal SNAP benefits to the Commonwealth.
- **SSI/SSDI: \$8.7 million**  
MLAC's Disability Benefits Project\*, with state funding of only \$1.2 million, yielded \$8,089,777 in federal retroactive payments and first-year benefits to clients, as well as \$619,515 in direct federal reimbursements to the Commonwealth. The average recipient receives benefits for 9.7 years.
- **Medicare Appeals: \$558,527**  
Clients of MLAC's Medicare Advocacy Project\*\* won \$558,527 in Medicare coverage of health care costs.

\*DBP services are provided by the following programs: Boston College Legal Assistance Bureau, Center for Public Representation, Community Legal Aid, Community Legal Services and Counseling Center, Disability Law Center, Greater Boston Legal Services, MetroWest Legal Services, Neighborhood Legal Services and South Coastal Counties Legal Services.

\*\*MAP services are provided by Community Legal Aid, Greater Boston Legal Services and South Coastal Counties Legal Services.

- **Federal Taxes: \$75,000**  
Greater Boston Legal Services provided assistance with federal tax appeals, bringing in \$75,000 to low-income clients.
- **Federal Unemployment Benefits: \$9.7 million**  
Successful representation by MLAC-funded programs in unemployment compensation appeals brought \$9,667,488 in federal extended unemployment benefits to low-income Massachusetts workers.

#### **Other Benefits Won for Low-Income Residents: \$10.4 million**

- **Unemployment Insurance: \$3.4 million**  
Low-income workers represented by MLAC-funded programs won \$3,389,295 in unemployment benefit appeals.
- **Housing Stabilization: \$415,992**  
Low-income households received \$415,992 in rent relief and damages as a result of representation by just two MLAC-funded programs.
- **Low-Income Utility Arrearage Forgiveness: \$3.2 million**  
The Massachusetts utility Arrearage Management Programs, for which the MLAC-funded National Consumer Law Center (NCLC) drafted the original legislation, reduced utility bills for low-income residents by approximately \$17.6 million in 2011, an increase of \$3.2 million from the previous year. NCLC has been active in promoting the program.
- **Child Support Orders: \$3.3 million**  
MLAC-funded programs won 429 child support orders in, with an average payment level of \$150 per week. This amounts to income of approximately \$3,346,200 per year for low-income custodial parents and their children. Child support orders also reduce dependence on TANF.

#### **Potential Savings for the Commonwealth: \$15.1 million**

- **Preventing Homelessness: \$11.3 million**  
MLAC estimates an additional cost savings to the Commonwealth of \$11,251,027 from legal assistance that kept low-income families in their homes and out of the costly emergency shelter system.
- **Domestic Violence Prevention: \$3.9 million**  
MLAC estimates that its Battered Women's Legal Assistance Project\* saved the Commonwealth \$3,884,400 in medical and court costs by preventing further assaults on clients.

*\*BWLAP services are provided by Community Legal Aid, Community Legal Services and Counseling Center, Greater Boston Legal Services, Massachusetts Law Reform Institute, Merrimack Valley – North Shore Legal Services, MetroWest Legal Services and South Coastal Counties Legal Services.*

## Pilot Study of Medical-Legal Partnership to Address Social and Legal Needs of Patients

Dana Weintraub, MD  
Melissa A. Rodgers, JD  
Luba Botcheva, PhD  
Anna Loeb, BA  
Rachael Knight, JD  
Karina Ortega, MA  
Brooke Heymach, JD, MSW  
Megan Sandel, MD, MPH  
Lynne Huffman, MD

**Abstract:** As a preliminary investigation of the effectiveness of medical-legal partnership in pediatrics, we conducted a 36-month prospective cohort study of the impact of clinic- and hospital-based legal services. We hypothesized that integration of legal services into pediatric settings would increase families' awareness of and access to legal and social services, decrease barriers to health care for children, and improve child health. **Methods.** Health care providers referred families with legal or social needs to the Peninsula Family Advocacy Program (FAP). **Results.** Fifty four families completed both baseline and six-month follow-up assessments. Comparison of follow-up with baseline demonstrated significantly increased proportions of families who utilized food and income supports and significantly decreased proportions of families avoiding health care due to lack of health insurance or concerns about cost. Two-thirds of respondents reported improved child health and well-being. **Conclusions.** This study suggests that adding an attorney to the medical team increases awareness of and access to social and legal services.

**Key words:** Child advocacy, legal aid, child welfare, health insurance, hunger.

---

**DR. WEINTRAUB** is a Clinical Assistant Professor in the Division of General Pediatrics at the Lucile Packard Children's Hospital at Stanford in Palo Alto, California. **MS. RODGERS** is the Associate Director of the Center on Health, Economic and Family Security at the University of California, Berkeley School of Law. **DR. BOTCHEVA** and **MS. ORTEGA** are affiliated with the Children's Health Council in Palo Alto, and **MS. LOEB**, **MS. KNIGHT**, and **MS. HEYMACH** with the Legal Aid Society of San Mateo County. **DR. SANDEL** is Medical Director of the National Center for Medical Legal Partnership at the Boston University School of Medicine. **DR. HUFFMAN** is an Associate Professor (Pediatrics) at Stanford University School of Medicine and the Director of Evaluation and Quality Improvement at the Children's Health Council. Please address correspondence to Dana Weintraub, Division of General Pediatrics, 770 Welch Road, #100, Palo Alto, CA 94304-5781; (650) 725-8292; fax (650) 498-5684; Dana.Weintraub@Stanford.edu.

Providing quality health care requires addressing social and legal issues including access to health care and programs, salutary living environments, and the ability to navigate government and community systems. Health care providers are well-positioned and trained to identify salient social factors; however, they often lack the expertise to address these factors, particularly in the arena of poverty and health care disparities. In contrast, legal aid attorneys are trained to address health care disparities related to poverty; however, they frequently do not see families until a situation has become a crisis, long after the legal issues have begun to affect family health and well-being. Conventional legal aid services can be likened to acute care or emergency room services aimed at crisis management and stabilization, rather than preventive care services. In contrast, by screening for legal issues in the clinical setting, health care providers can refer families to a legal aid attorney before a legal issue becomes a legal and potentially medical emergency. Medical-legal partnerships bring legal aid attorneys to the clinical setting to develop a multi-faceted approach to children's health care disparities by integrating preventive law into preventive medicine.<sup>1,2,3</sup> The first partnership was founded in 1993 at Boston Medical Center by Dr. Barry Zuckerman. Currently, there are more than 80 medical-legal partnership sites in the United States, serving over 160 hospitals and health centers in 37 states.

The Peninsula Family Advocacy Program (FAP), a collaboration among Lucile Packard Children's Hospital at Stanford (LPCH), Ravenswood Family Health Center (RFHC) in East Palo Alto, California and Legal Aid Society of San Mateo County (LASSMC), was established in 2004. Modeled after Boston Medical Center's Medical-Legal Partnership, FAP's goals are to improve the health of low-income children by linking legal advocacy and clinical pediatrics. The FAP provides free legal services and social service referrals to patient families at LPCH and RFHC; further, FAP trains health care providers to identify and understand legal needs of low-income families and works with health care providers to address systemic-level inequities. In addition, FAP has implemented a cross-disciplinary course between Stanford Medical School and Stanford Law School that provides an opportunity for medical students and law students to learn collaboratively about medical-legal issues affecting child health, to advocate for patient-client families, and to work on local community projects to reduce health care disparities.

Health care provider partnerships with attorneys aim to address health care disparities resulting from poverty that may lead to worse health outcomes for low-income families. The concept of *social capital* suggests that social and structural factors such as housing, training/job opportunities, and access to services can intensify the effects of material deprivation on child health and development.<sup>4</sup> Studies have shown lower rates of prenatal care among low-income women,<sup>5,6</sup> leading to increased risk for pre-term birth, low birth-weight, and related disability and illness in infancy and childhood. Children living in poverty are at greater risk for low functional health (i.e., vision, speech, and mobility),<sup>7</sup> failure to thrive in infancy,<sup>8</sup> respiratory and gastrointestinal infections,<sup>9,10,11,12</sup> nutritional deficiencies,<sup>13,14</sup> asthma,<sup>15,16,17,18</sup> poor dental health,<sup>19</sup> and overweight and obesity.<sup>20</sup> In a recent study, minority children, children whose mothers had less than a high school education, and children from low-income families (125–199%

of the poverty line) used more urgent care than preventive care services for asthma, had lower levels of prescription refills, and had fewer general check-ups than children with asthma who were insured and whose mothers had attained higher education.<sup>21</sup> Furthermore, childhood injury rates, both accidental and intentional, are higher among children from low-income families.<sup>22,23</sup> Poverty also has a detrimental impact on children's mental health (e.g., maladaptive behavior, emotional problems)<sup>4,24,25,26</sup> and cognitive development.<sup>27</sup> Poverty experienced at any stage of a child's development is associated with reduced cognitive outcomes in adolescence.<sup>26</sup> Studies have also shown the negative effects of poverty, hunger, homelessness and domestic violence on child health.<sup>28,29,30</sup> Housing and economic instability have been shown to be associated with being uninsured, postponing medications, and higher rates of hospitalization.<sup>31</sup>

The current evidence base for medical-legal partnerships addressing legal needs, removing barriers to care and improving health is limited. A study of 20 cancer patients who had received legal assistance showed positive results: 75% of patients interviewed said legal assistance reduced stress, 50% reported that receipt of legal assistance had a positive effect on their family or loved ones, 45% said legal assistance positively affected their financial situation, and 30% reported that legal assistance helped them maintain their treatment regimen.<sup>32</sup> Another study of patients in a palliative care program who used medical-legal partnership services found that the legal services program addressed unmet legal needs a number of ways; by executing advance directives and wills, securing health insurance for patients, developing custody plans, successfully reinstating food stamp benefits, and securing emergency heating assistance.<sup>33</sup> This program also showed it was financially sustainable, as it recovered reimbursement and benefits for clients.

As a preliminary investigation of the effectiveness of medical-legal partnership in pediatrics, we conducted a 36-month prospective cohort study of the impact of clinic- and hospital-based legal services. We hypothesized that integration of legal services into pediatric settings would increase families' awareness of and access to legal and social services, decrease barriers to health care for children, and improve child health.

## Methods

**Design and participants.** The study sample was recruited from families who received FAP services between December 1, 2004 and June 30, 2007. The study was implemented at Lucile Packard Children's Hospital at Stanford in Palo Alto, California, the Lucile Packard Children's Hospital Pediatric Health Van, serving uninsured families in East Palo Alto and Redwood City, California, and Ravenswood Family Health Center, a federally qualified health center in East Palo Alto, California. Providers at both health centers were trained to identify social and legal issues that could be addressed by legal aid attorneys; and to refer these families to FAP. All families who were referred from health care providers to FAP met income and county eligibility criteria for services, and had an identifiable social or legal issue were eligible for the study. The parent/guardian who was present at intake was enrolled in the study. After informed consent was obtained, a baseline assessment addressed socio-economic status, health insurance, child health status and need for legal and social services. Study participants received

ongoing legal services from FAP or were referred to appropriate resources. A follow-up assessment was conducted via telephone interview at approximately six months following legal case-closing.

This study was approved by the Stanford University Panel on Protection of Human Subjects in Medical Research.

**Intervention.** The FAP provided legal services directly to participants to address problems including denials or discontinuances of government health insurance and other government benefits including Food Stamps and Welfare (CalWORKs in California); erroneous medical billing; family law and domestic violence issues including restraining orders, divorce, adoption, and immigration; access to special education services; and housing issues including habitability violations and evictions. The legal services ranged from legal counseling, to brief services such as writing a letter to a landlord, to full legal representation. Participants received referrals from FAP for legal services in areas in which LASSMC did not have expertise (such as employment or consumer law issues). Additionally, participants received information and referrals for many social services, including child care programs, free and low-cost health services, food and clothing programs, and adult education programs.

The FAP staff included a full-time Staff Attorney, full-time Project Coordinator and 0.1 full-time-equivalent Medical Director. The FAP also partnered with local law firms to provide *pro bono* legal services in cases where Legal Aid did not have the resources to represent the clients. Specifically, FAP made *pro bono* referrals for special education and guardianship cases. The FAP completed intake with the clients and then sent appropriate cases to *pro bono* attorneys for representation.

**Measures.** Assessments were performed by trained members of the research team following objective protocols. Assessments were conducted at the initial legal intake (baseline) by LASSMC and at six months after legal case-closing (follow-up) by an independent evaluator. Legal case-closing is defined as the point at which the attorney met the goals agreed to with participants at baseline. Baseline assessments were conducted at clinical sites, LASSMC, in family homes, or via telephone. Follow-up assessments were conducted via telephone.

Baseline assessment included demographic information, insurance status of all family members, self-reports of well-child care, immunization status, school days missed due to illness or transportation, avoidance of health care for child due to perceived barriers, and use of public benefits. Follow-up assessment included identical questions from baseline, as well as questions about prior knowledge and use of legal services and satisfaction with FAP services. Participants were also asked open-ended questions about the outcome of the issue for which they received help from FAP. Case-closing forms from LASSMC were analyzed to identify legal issues of participants.

**Statistical analysis.** The Wilcoxon signed rank test was performed to compare pre- and post-intervention values for food and income supports, recent well-child care, immunization status, health insurance, recent hospitalization, and avoidance of health care. A value of  $p < .05$  was accepted as the minimum level of significance.



Results

**Study design and participation.** The study design and participation are shown in Figure 1. A total of 190 participants received services from FAP during the study period. One-hundred-two participants enrolled in the study, completing informed consent and baseline assessments, as well as generating case-closing forms; 54 of these also completed follow-up assessments (full participants) and are included in our analysis. Reasons for not enrolling in the study most often concerned time constraints of legal aid staff or families to complete study assessments. Reasons for not completing follow-up assessments (partial participation) included inability to reach families by telephone or cases that were still ongoing at the time the study concluded.

**Demographics.** There were no baseline differences between full participants and non-participants or partial participants, with the exception of preferred language: the full participant group had a higher proportion of Spanish-speaking parents than did the non-participant group or partial-participant group. Demographic characteristics of full participants (the analysis sample, N=54) are shown in Table 1. Participants were predominantly female and Spanish-speaking with a mean age of  $34.9 \pm 9.3$  years at

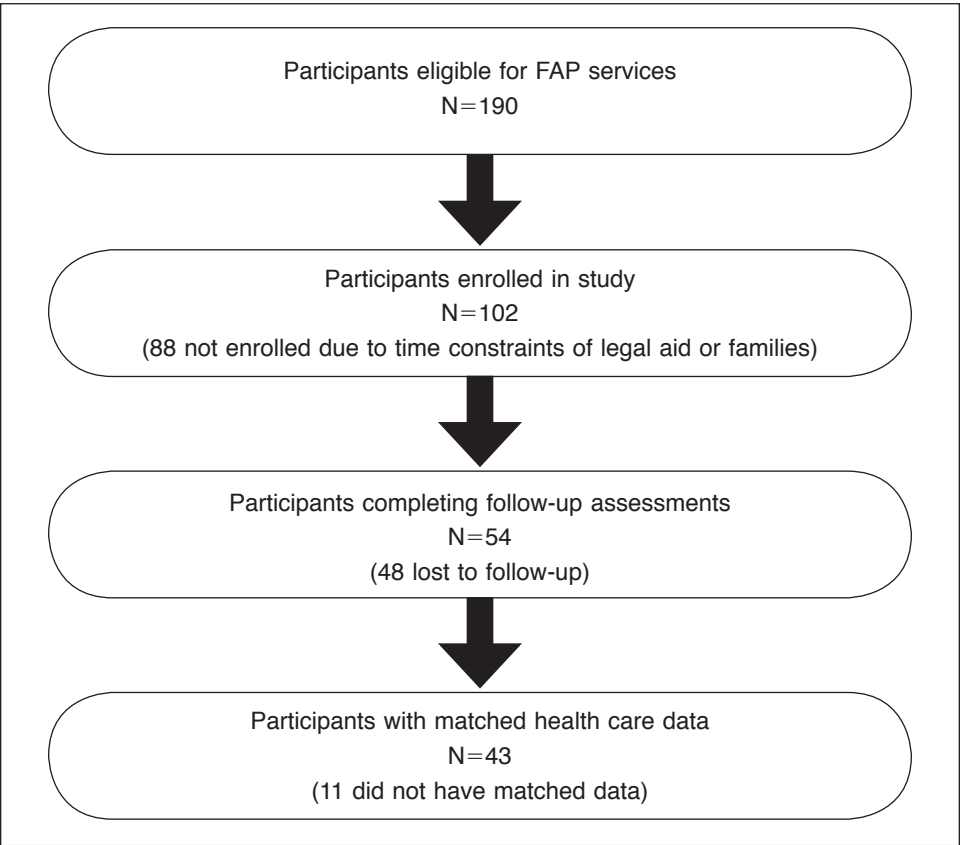


Figure 1. Study design.

**Table 1.**  
**SOCIODEMOGRAPHIC CHARACTERISTICS**  
**OF STUDY PARTICIPANTS**

Type of Information	Full Participants N=54
Gender	
Female	92.6%
Male	7.4%
Ethnicity	
Black/African American	5.6%
Hispanic/Latino	79.6%
Native Hawaiian/Pacific Islander	3.7%
Asian	1.9%
White	7.4%
Other	1.9%
Language	
Spanish	68.5%
English	25.9%
Other	5.6%
Age	
Average years of age	34.9
SD	9.3
Level of education	
No schooling	1.9%
8th grade or below	22.2%
Less than 12th grade	16.7%
GED	3.7%
High school diploma	24.1%
Some college but no degree	11.1%
Bachelor's degree	1.9%
Associate's degree	1.9%
Did not answer	16.7%
Family annual income	
<\$5000	14.8%
\$5000–9999	9.3%
\$10,000–19,999	27.8%
\$20,000–29,999	37.0%
\$30,000–39,999	7.4%
\$40,000–49,999	1.9%
\$50,000–74,999	1.9%
>\$75,000	0%

baseline. About one-half of responding participants reported less than a 12th grade education (16.7% of participants did not complete this question). More than three-quarters of participants reported an annual income of less than \$30,000. No participants in the follow-up sample reported an annual income higher than \$75,000. It should be noted that eligibility for services generally included income less than 250% of the federal poverty level (FPL, for a family of 4, \$47,125 to \$51,625). Mean household size was  $2.1 \pm 0.9$  adults and  $2.1 \pm 1.3$  children.

**Access to legal and social services.** *Use of legal services.* During the six-month follow-up assessment, we asked whether participants had been aware of or had used legal resources before FAP. Eighty-five percent of participants had not used legal resources before FAP, and 78.8% were not aware of legal resources before FAP.

*Legal issues.* Based on the case-closing forms completed by LASSMC ( $n=102$ ) most of the participants had multiple legal and social issues. Almost half of the issues handled by FAP were related to health insurance (48.4% of cases), followed by government benefits (40.6% of cases), housing (33.9% of cases), immigration (33.1% of cases) and family violence (8.7%).

These multiple issues resulted in several levels of FAP services. In 90% of cases, FAP provided legal counsel and advice as well as made referrals to other services (referral to additional legal services, 17%; referral to non-legal services, 73%). About one-fifth of participants (19.1%) received brief services (letter or appeal form). In 12.4% of cases, the issues necessitated legal representation.

During the six-month follow-up assessment, we asked study participants to describe the issue that was handled by FAP and the outcome. Two-thirds of participants (68.4%) noted that the issues handled by FAP were entirely or partially resolved. The majority of participants who reported that an issue was not resolved commented that it was not solvable by FAP either because of legal restrictions (mostly related to immigration status) that limited participant access to successful assistance, or because of slow responses by the agencies to which the participant was referred. Participants often concluded that settling the identified issue might have created other difficulties. For example, taking up legal action was perceived as too risky given potential unfavorable ramifications, particularly in of the area of housing violations and landlord issues. Some of the participants (7.2%) did not follow through on the recommendations and referrals made by FAP because they perceived the issue as too complicated and difficult to solve. About one-quarter (28.1%) of participants expressed interest in contacting FAP again with new needs or questions related to previous issues.

*Use of food and income supports.* Before and after service, participants were asked to indicate if they were currently receiving food and income supports by responding *Yes* or *No*. Comparison of pre- and post-intervention responses showed significant increases in receipt of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) (35.2% versus 50.0%,  $p=.01$ ), CalWorks (0.0% versus 9.3%,  $p=.02$ ), Food Stamps (13.0% versus 29.6%,  $p=.01$ ), Supplemental Security Income (SSI) (5.6% versus 16.7%,  $p=.01$ ) and Child Support (7.4% versus 16.7%,  $p=.04$ ). No significant change was found for Child Care Assistance (1.9% versus 5.6%,  $p=.16$ ) (Figure 2).

**Access to health care.** *Child health and well-being.* At follow-up assessment, participants were asked to estimate the degree to which their children's health and well-being

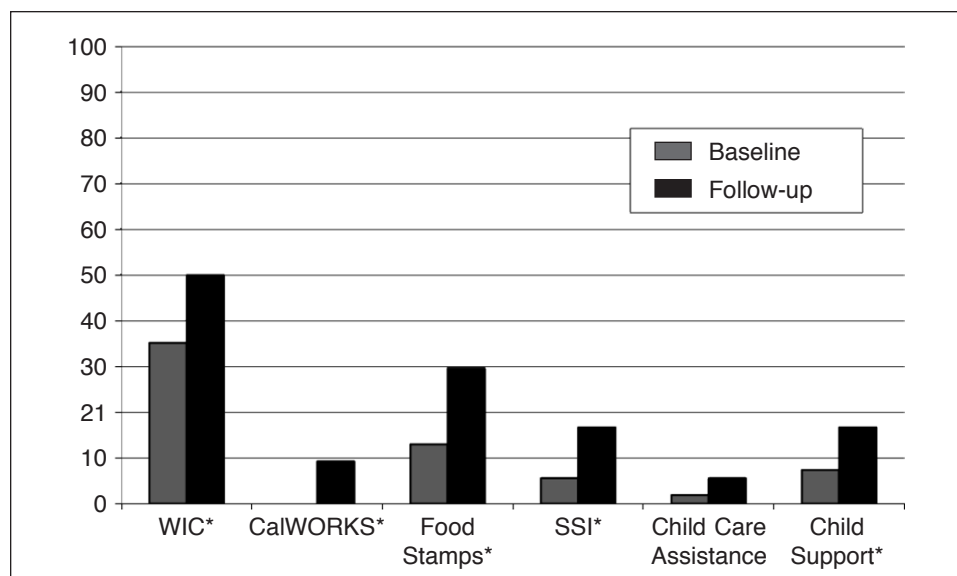


Figure 2. Percent of participants reporting receipt of food and income supports (n=54).

\*significant increases comparing follow-up to baseline for WIC (35.2% versus 50.0%,  $p=0.01$ ), (0.0% versus 9.3%,  $p=0.02$ ), Food Stamps (13.0% versus 29.6%,  $p=0.01$ ), Supplemental Security Income (SSI) (5.6% versus 16.7%,  $p=0.01$ ) and Child Support (7.4% versus 16.7%,  $p=0.04$ ).

had changed because of FAP services. Almost two-thirds of parents (66.1%) thought that their children's health and well-being had improved because of FAP.

There were 43 participants for whom matched baseline and six-month follow-up health care data were available with regard to well child care, immunizations, health insurance, and frequency of hospitalization. For "well child check" values, the Wilcoxon signed rank test showed non-significant differences between pre- and post-intervention proportions of children having had a well-child check within the last 12 months (83.7% versus 93%,  $p=.21$ ). For "immunizations up-to-date" values, the Wilcoxon signed rank test showed non-significant differences between pre- and post-intervention proportions of children with up-to-date immunizations (95.3% versus 97.7%,  $p=.56$ ). The data concerning health insurance were variable and represented few study participants. At baseline, there were two children who were uninsured; at follow-up, these children had health insurance. Meanwhile, there were five children who were insured at baseline but at follow-up, were uninsured. For "recent hospitalization" values, the Wilcoxon signed rank test showed statistically significant differences between pre- and post-intervention proportions of children with hospitalization in the previous six months (32.6% versus 16.3%,  $p=.02$ ).

The proportion of participants who reported avoiding health care for their child due to perceived barriers showed significant changes for "did not have health insurance" (27.3% versus 9.1%,  $p=.02$ ) and "worried about the cost of health care" (31.8% versus 13.6%,  $p=.046$ ). Significant differences were not found for "difficulty with transportation: (11.4% versus 4.5%,  $p=.18$ ) or "worried about immigration" (15.9% versus

9.1%,  $p=.26$ ). We did not find any significant changes in numbers of acute care visits, emergency room visits, or missed school days.

**FAP client satisfaction with legal services.** *Service satisfaction.* Of the 54 participants who completed follow-up assessments, 90.4% reported that it was helpful to have FAP at their child's health care clinic or hospital. All participants (100%) said they felt comfortable speaking with FAP about their needs. Most participants (86.8%) reported the FAP information given to them to be useful, and 88.7% said they would continue to use FAP services. Just over half of participants (51.9%) told other people about FAP and its services.

*Need for service improvement.* When asked "How would you improve FAP services?" 92% of participants reported that FAP is good the way it is. Participants also responded that the location of FAP in the medical clinic is very convenient. Suggestions for further improving FAP services included increasing visibility in the community and the clinic and providing more direct help and close follow-up.

## Discussion

This pilot study suggests that the addition of a legal aid attorney to the medical team can increase access to legal and social services and decrease barriers to health care. Of particular promise were increased awareness and use of free legal services, increased access to food and income supports, decreased barriers to health care and reported improvement in child health and well-being. Trends towards improvement were seen for indicators of well-child care. Future studies with larger sample sizes will help us determine the significance of these initial findings. We also saw a decreased frequency of hospitalizations but cannot draw conclusions as we did not collect information on indications for hospitalization. The variable health insurance findings may represent disruptions in insurance coverage and highlight a need for continuous eligibility policies and for simplified coverage options. The study demonstrated high participant satisfaction with integration of legal services in the clinical setting. Our results also highlighted that most participants had subsequent new legal needs; this likely reflects the social, economic and educational challenges faced by the low-income, largely immigrant population served by FAP.

The nature of the assistance provided to families by FAP suggests the need for a two-tiered approach to services. The fact that a majority of families require legal counsel and advice as well as non-legal referrals while only a minority require legal representation (either by FAP or an outside agency) has implications for program staffing and design. In particular, the addition of a social worker to the FAP staff would be valuable to address many of the non-legal issues and provide close follow-up.

Limitations of the study included the small sample size and loss to follow-up. Given our largely immigrant population, movement of families is common. Our population was also primarily Hispanic/Latino and Spanish-speaking. We also were limited by our lack of long-term follow-up. Changes in health care receipt or health status may be difficult to assess over a short period of time. Rather, proximate factors such as family stability and access to benefits may more quickly respond to provision of legal services. In addition, all outcomes information in our study was collected from families. A clinical

record review or other measure using a different respondent would help validate the family perspective concerning intervention effects. It would also be useful to correlate client satisfaction with child illness, reason for referral and resolution of legal issues. Finally, there may be other factors that we have not measured that affected the outcomes. Adding a control group in future studies will help address this.

Lawyers and doctors are natural partners to address the health care disparities low-income families confront. Future studies should continue to examine the child health benefits of access to legal services in the health care setting and whether there are benefits to the larger family as well, in such areas as reductions in maternal stress or improved attendance at work or school. Medical-legal partnership is a relatively new model for addressing health care disparities but has the ability to transform health care from reacting to the effects of poverty on children to ensuring children and their families have adequate food, shelter, and social services and therefore experience fewer health problems.

## Acknowledgments

We wish to thank Dr. Barry Zuckerman whose vision and leadership has fostered partnerships between like-minded lawyers and doctors to improve child health; Dr. Fernando Mendoza whose leadership of the Division of General Pediatrics at Lucile Packard Children's Hospital at Stanford supported the development of the Peninsula Family Advocacy Program; the entire staff of Legal Aid Society of San Mateo County who all have been instrumental to the success of the Peninsula Family Advocacy Program; and the families who participated in the study and inspire us in our work.

This study was supported by Lucile Packard Children's Hospital at Stanford, Bernard A. Newcomb Foundation, The California Endowment, First Five San Mateo County, Philanthropic Ventures Foundation, Equal Justice Works, United Health Foundation, and National Center for Medical Legal Partnership. Dr. Sandel is supported by a grant from the W.K. Kellogg foundation.

## Notes

1. Zuckerman B, Sandel M, Smith L, et al. Why pediatricians need lawyers to keep children healthy. *Pediatrics*. 2004 Jul;114(1):224–8.
2. Zuckerman B, Sandel M, Lawton E, et al. Medical-legal partnerships: transforming healthcare. *Lancet*. 2008 Nov 8;372(9650):1615–7.
3. Williams DR, Costa MV, Odunlami AO, et al. Moving upstream: how interventions that address the social determinants of health can improve health and reduce disparities. *J Public Health Manag Pract*. 2008 Nov;14 Suppl:S8–17.
4. Barnes J, Belsky J, Broomfield KA, et al. Disadvantaged but different: variation among deprived communities in relation to child and family well-being. *J Child Psychol Psychiatry*. 2005 Sep;46(9):952–62.
5. Kramer MS, Seguin L, Lydon J, et al. Socio-economic disparities in pregnancy outcome: why do the poor fare so poorly? *Paediatr Perinat Epidemiol*. 2000 Jul;14(3):194–210.
6. Heaman MI, Gupton AL, Moffatt ME. Prevalence and predictors of inadequate prenatal

- care: a comparison of aboriginal and non-aboriginal women in Manitoba. *J Obstet Gynaecol Can.* 2005 Mar;27(3):237–46.
7. Ross DP, Roberts P. Income and child well-being: a new perspective on the poverty debate. Ottawa, Canada: Canadian Council on Social Development, 1999.
  8. Wright CM, Waterston A, Aynsley-Green A. Effect of deprivation on weight gain in infancy. *Acta Paediatr.* 1994 Apr;83(4):357–9.
  9. Taylor B, Wadsworth J, Golding J, et al. Breast-feeding, bronchitis, and admission for lower-respiratory tract illness and gastroenteritis during the first five years. *Lancet.* 1982 May 29;1(8283):1227–9.
  10. Morgan M, Chinn S. ACORN group, social class, and child health. *J Epidemiol Community Health.* 1983 Sep;37(3):196–203.
  11. Ogston SA, Florey CD, Walker CH. Association of infant alimentary and respiratory illnesses with parental smoking and other environmental factors. *J Epidemiol Community Health.* 1987 Mar;41(1):21–5.
  12. Howie PW, Forsyth JS, Ogston SA, et al. Protective effect of breast feeding against infection. *BMJ.* 1990 Jan 6;300(6716):11–6.
  13. Nelson M, Naismith DJ. The nutritional status of poor children in London. *J Hum Nutr.* 1979 Feb;33(1):33–45.
  14. Oakley A, Rajan L. What did your baby eat yesterday? Social factors and infant feeding practices. *Eur J Public Health.* 1993;3(1):18–27.
  15. Smith LA, Hatcher-Ross JL, Wertheimer R, et al. Rethinking race/ethnicity, income, and childhood asthma: racial/ethnic disparities concentrated among the very poor. *Public Health Rep.* 2005 Mar–Apr;120(2):109–16.
  16. Aligne CA, Auinger P, Byrd RS, et al. Risk factors for pediatric asthma. Contributions of poverty, race, and urban residence. *Am J Respir Crit Care Med.* 2000 Sep;162(3 Pt 1):873–7.
  17. Akinbami LJ, LaFleur BJ, Schoendorf KC. Racial and income disparities in childhood asthma in the United States. *Ambul Pediatr.* 2002 Sep–Oct;2(5):382–7.
  18. Fredrickson DD, Molgaard CA, Dismuke SE, et al. Understanding frequent emergency room use by Medicaid-insured children with asthma: a combined quantitative and qualitative study. *J Am Board Fam Pract.* 2004 Mar–Apr;17(2):96–100.
  19. Carmichael CL, Rugg-Gunn AJ, Ferrell RS. The relationship between fluoridation, social class and caries experience in 5-year-old children in Newcastle and Northumberland in 1987. *Br Dent J.* 1989 Jul 22;167(2):57–61.
  20. Oliver LN, Hayes MV. Neighbourhood socio-economic status and the prevalence of overweight Canadian children and youth. *Can J Public Health.* 2005 Nov–Dec;96(6):415–20.
  21. Kim H, Kieckhefer GM, Greek AA, et al. Health care utilization by children with asthma. *Prev Chronic Dis.* 2009 Jan;6(1):A12. Epub 2008 Dec 15.
  22. Barker M, Power C. Disability in young adults: the role of injuries. *J Epidemiol Community Health.* 1993 Oct;47(5):349–54.
  23. Birken CS, Macarthur C. Socioeconomic status and injury risk in children. *Paediatr Child Health.* 2004 May;9(5):323–5.
  24. Power C, Hertzman C, Mathews S, et al. Social differences in health: life-cycle effects between ages 23 and 33 in the 1958 British birth cohort. *Am J Public Health.* 1997 Sep;87(9):1499–503.
  25. Brooks-Gunn J, Duncan GJ, Britto PR. Are socioeconomic gradients for children similar to those of adults? Achievements and health of children in the United States.

- In: Keating DP, Hertzman C, eds. *Developmental health and the wealth of nations: social, biological, and educational dynamics*. New York, NY: The Guildford Press, 1999.
26. Alderman H, Behrman JR. Reducing the incidence of low birth weight in low-income countries has substantial economic benefits. Washington, DC: The International Bank for Reconstruction and Development, The World Bank, 2006.
  27. Najman JM, Hayatbakhsh MR, Heron MA, et al. The impact of episodic and chronic poverty on child cognitive development. *J Pediatr*. 2009 Feb;154(2):284–9. Epub 2008 Nov 28.
  28. Weinreb L, Wehler C, Perloff J, et al. Hunger: its impact on children's health and mental health. *Pediatrics*. 2002 Oct;110(4):e41.
  29. Parker S, Greer S, Zuckerman B. Double jeopardy: the impact of poverty on early child development. *Pediatr Clin North Am*. 1988 Dec;35(6):1227–40.
  30. Wood DL, Valdez RB, Hayashi T, et al. Health of homeless children and housed, poor children. *Pediatrics*. 1990 Dec;86(6):858–66.
  31. Reid KW, Vittinghoff E, Kushel MB. Association between the level of housing instability, economic standing and health care access: a meta-regression. *J Health Care Poor Underserved*. 2008 Nov;19(4):1212–28.
  32. Zevon MA, Schwabish S, Donnelly JP, et al. Medically related legal needs and quality of life in cancer care: a structural analysis. *Cancer*. 2007 Jun 15;109(12):2600–6.
  33. Rodabaugh KJ, Hammond M, Myszka D, et al. A medical-legal partnership as a component of a palliative care model. *Journal of Palliative Medicine*. (In press.)



# VBA Pro Bono Summit 2010

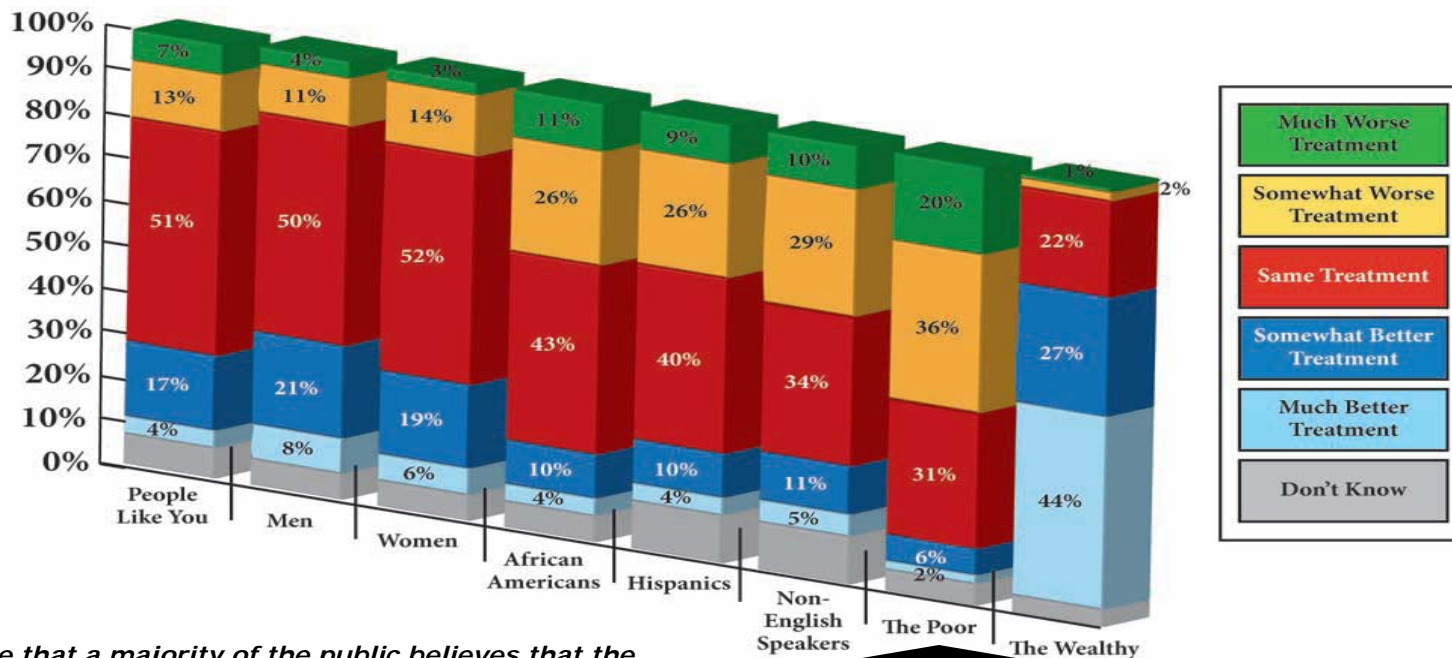
---

Materials Documenting the  
Compelling Need for Increased  
Pro Bono Assistance in Virginia

*Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services*

# The Public's Perceptions about How Different Groups are Treated in Virginia Courts

*What sort of treatment do you think the following groups of people receive in Virginia Courts, compared to other groups?*

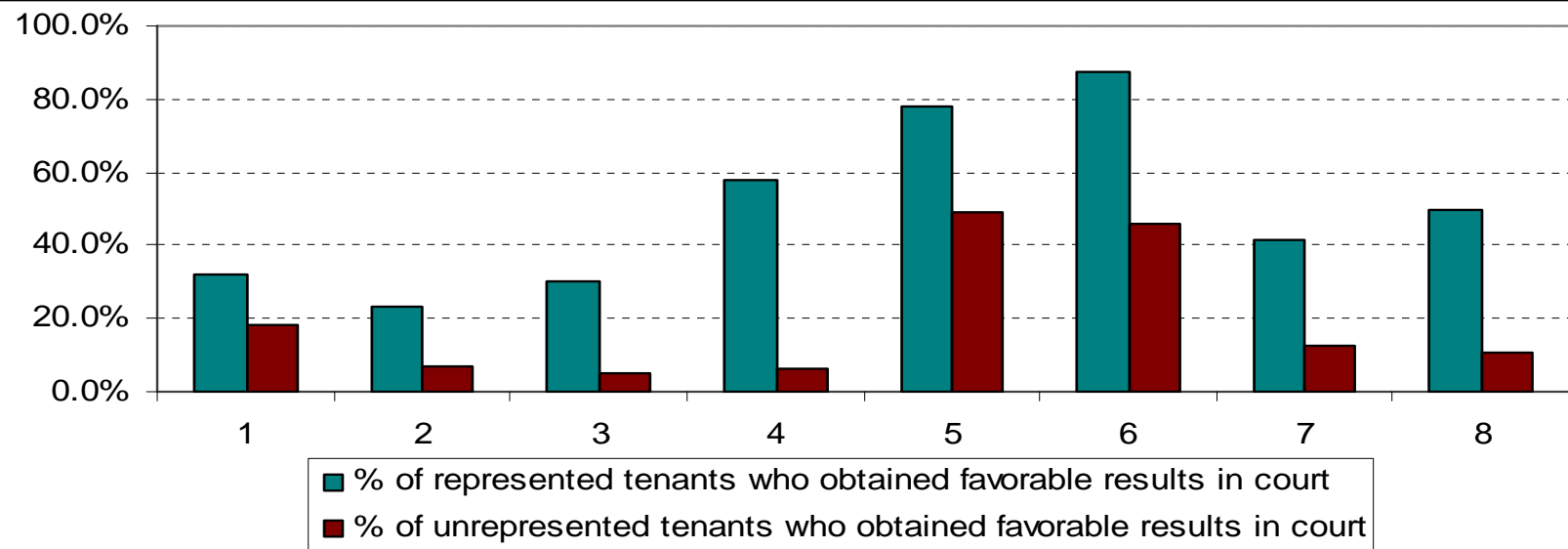


*Note that a majority of the public believes that the poor receive worse treatment in Virginia courts, compared to other segments of the population.*

Source: 2007 Citizens Survey, Office of the Executive Secretary, Supreme Court of Virginia.

Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services

## Correlation Between Representation and Favorable Outcomes for Tenants in Landlord -Tenant Cases



Study #1: Court Study Group of the Junior League of Brooklyn, *Report on a Study of the Brooklyn Landlord and Tenant Court* 21 (1973).

Study #2: Steven Gunn, Note, *Eviction Defense for Poor Tenants: Costly Compassion or Justice Served?*, 13 YALE L. & POL'Y REV. 385, 411 (1995).

Study #3: Chadha, Lisa Parsons. 1996. *Time to Move: The Denial of Tenants' Rights in Chicago Eviction Court*, Chicago: Lawyers Committee for Better Housing, Inc.

Study #4: Rebecca Hall, *Eviction Prevention as Homelessness Prevention: The Need for Access to Legal Representation for Low-Income Tenants* (1991).

Study #5: Seron, Carroll, Greg Van Ryzin, Martin Frankel, and Jean Kovath. 2001. *The Impact of Legal Counsel on Outcomes for Poor Tenants in New York City's Housing Court: Results of a Randomized Experiment*. Law and Society Review 35(2): 419-34.

Study #6: Anthony J. Fusco, Jr. et al., *Chicago's Eviction Court: A Tenant's Court of No Resort*, 17 URB. L. ANN. 93, 114-16 (1979).

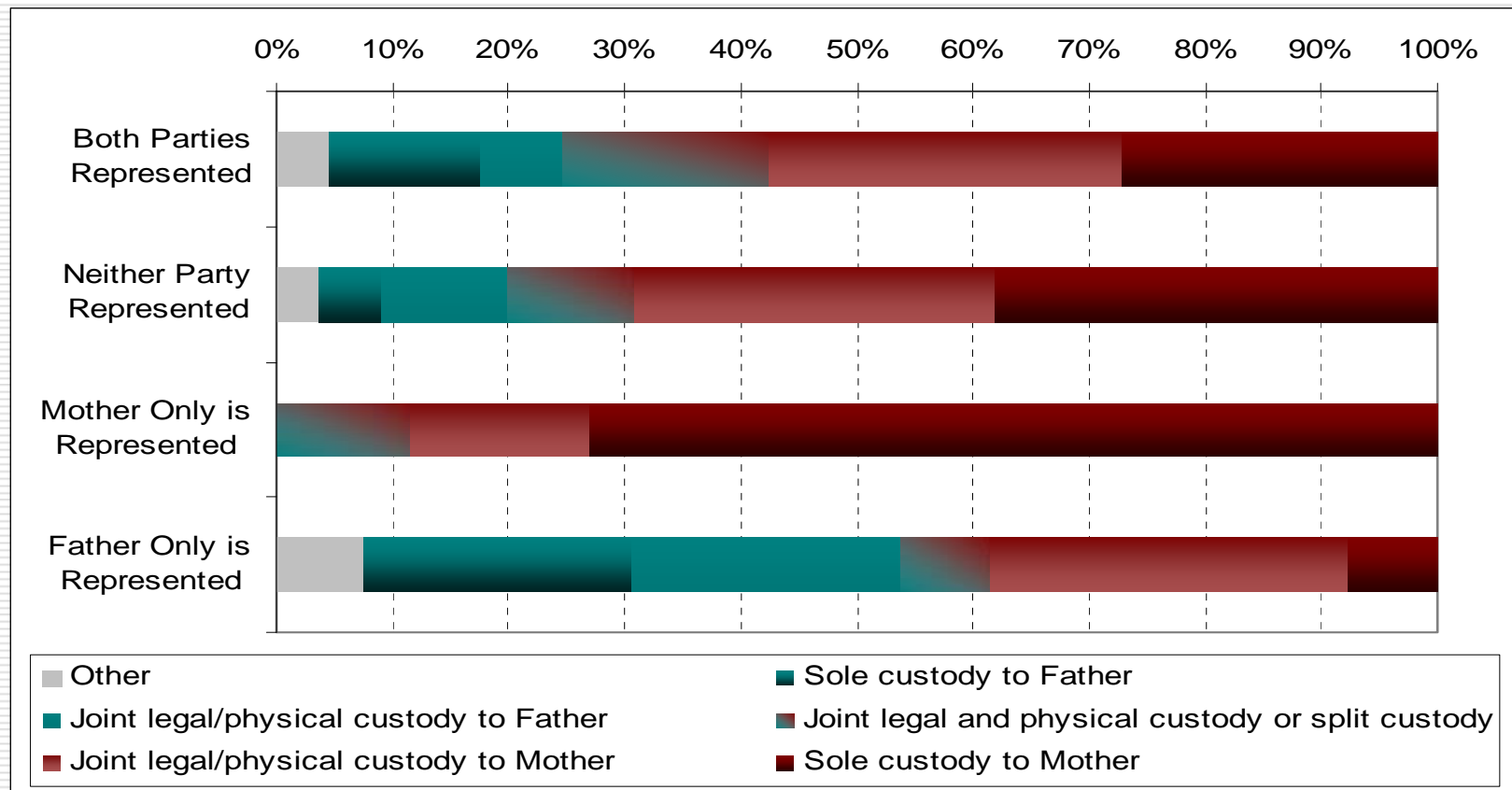
Study #7: Boston Bar Ass'n Task Force on Unrepresented Litigants, *Report on Pro Se Litigation*, 17 (1998), available at

<http://www.bostonbar.org/prs/reports/>

Study #8: Mass. Law Reform Inst., *Summary Process Survey*, 14 (2005)

Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services

# Correlation Between Representation and Custody Outcomes

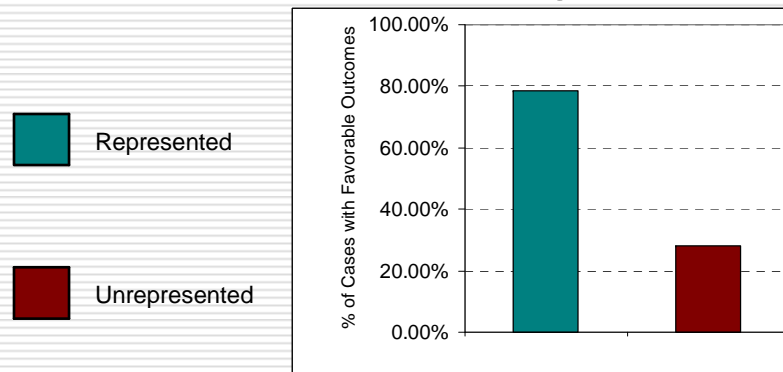


Source: The Women's Law Ctr. of Md., Inc., *Families in Transition: A Follow-up Study Exploring Family Law Issues in Maryland* (2006), available at <http://www.wlcmd.org/pdf/FamiliesInTransition.pdf>.

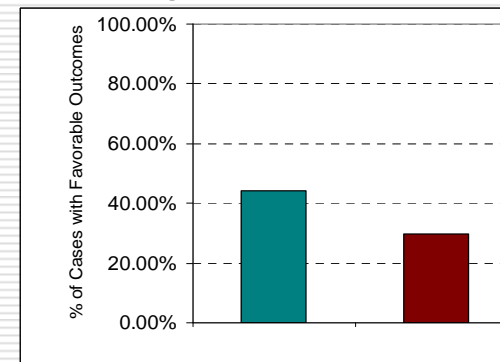
Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services

# Correlation Between Representation and Favorable Outcomes in Other Types of Cases Frequently Involving Low-Income Litigants

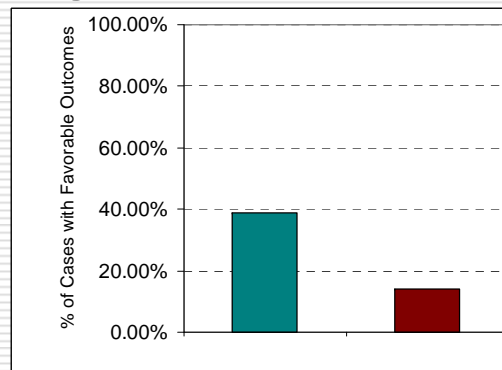
## Social Security Appeals



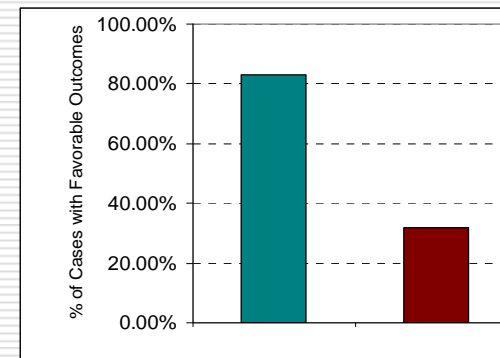
## Unemployment Claims



## Immigration Removal



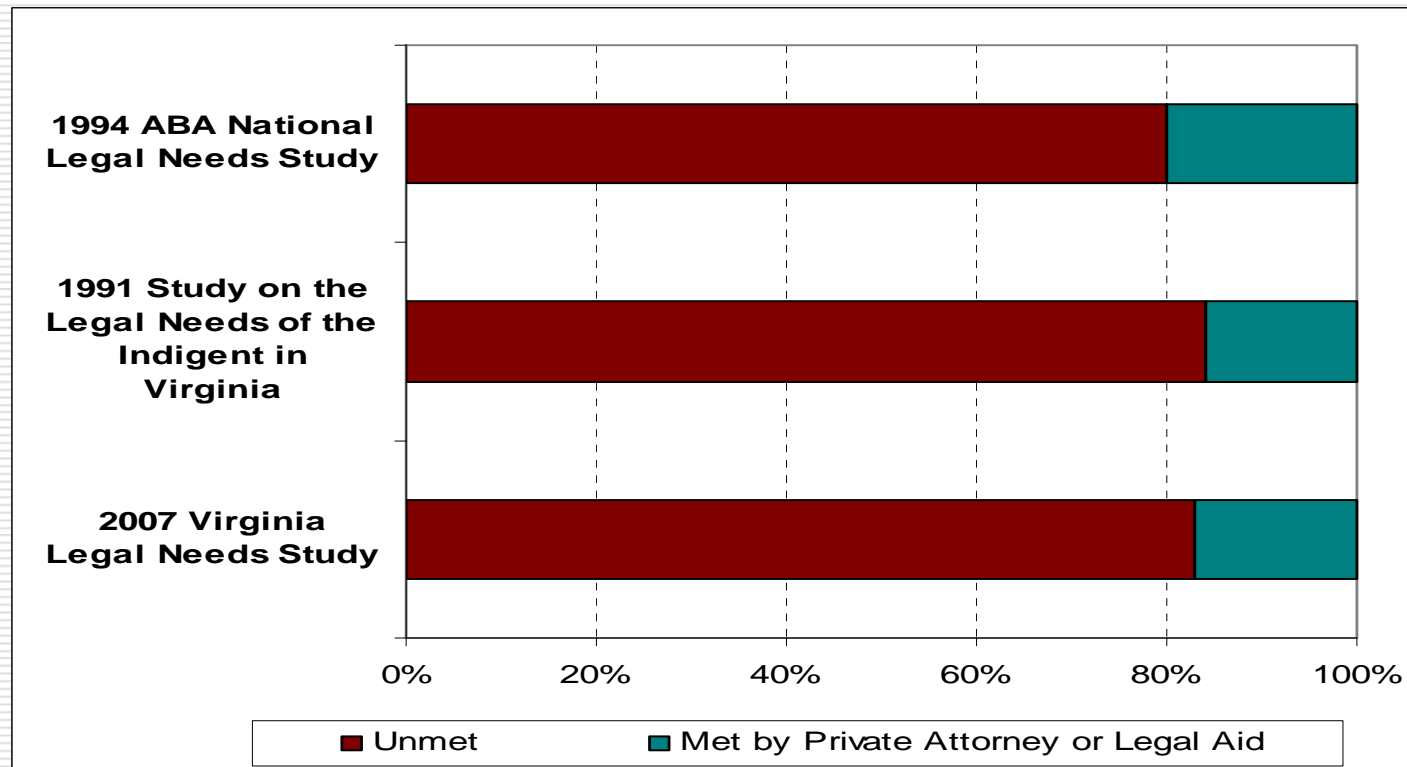
## Domestic Violence



Source: Russell Engler, *Connecting Self-Representation to Civil Gideon: What Existing Data Reveal About When Counsel is Most Needed*, to be published in an upcoming edition of the Fordham Law Review. Virtually all of the outcome studies cited in these materials were referenced in this very helpful work by Professor Engler, who is currently Professor of Law and Director of Clinical Studies at New England College of Law.

Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services

## The Documented Unmet Civil Legal Needs of the Poor



Sources: 1994 ABA National Legal Needs Study

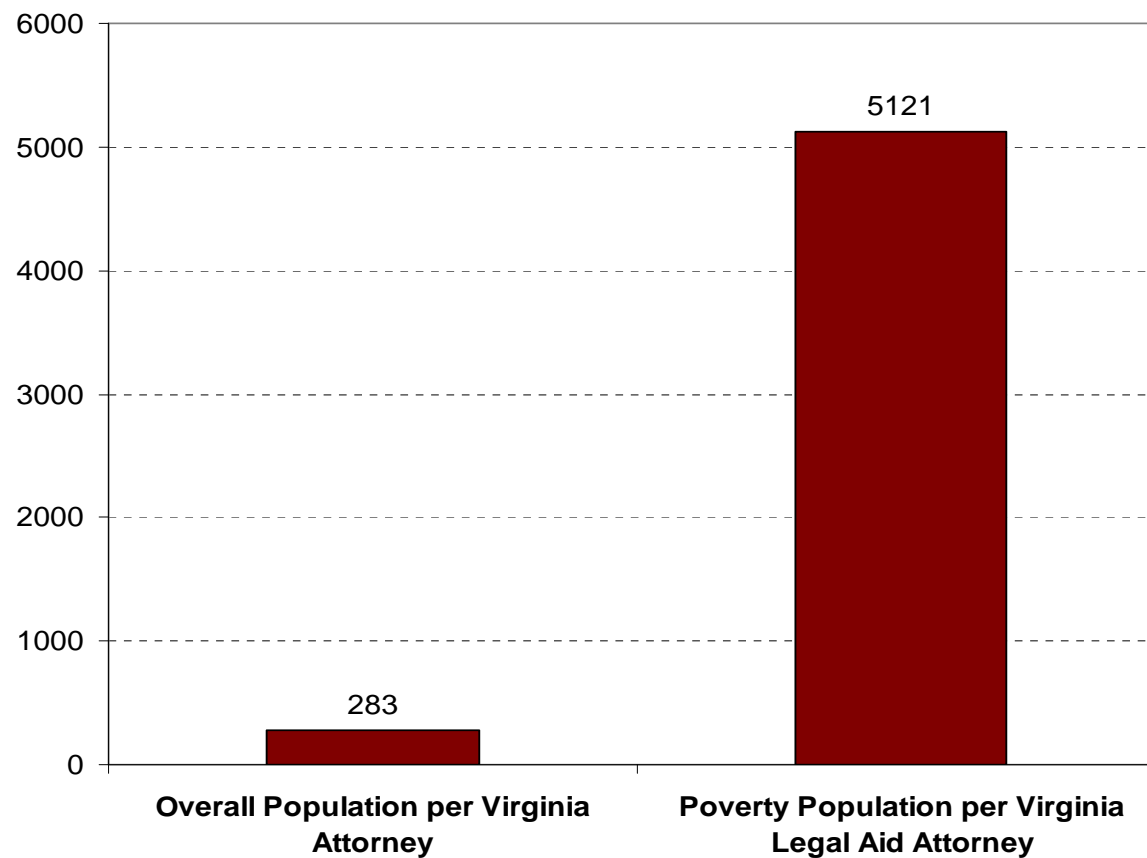
1991 Study on the Legal Needs of the Indigent in Virginia, commissioned by the Virginia State Bar and funded by the Virginia Law Foundation

2007 Virginia Legal Needs Study, commissioned by the Legal Services Corporation of Virginia (LSCV) and funded in part by the Virginia Law Foundation

Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services

# Number of Persons Per Attorney

## All Virginia Attorneys Compared with Legal Aid Attorneys



**Sources:**

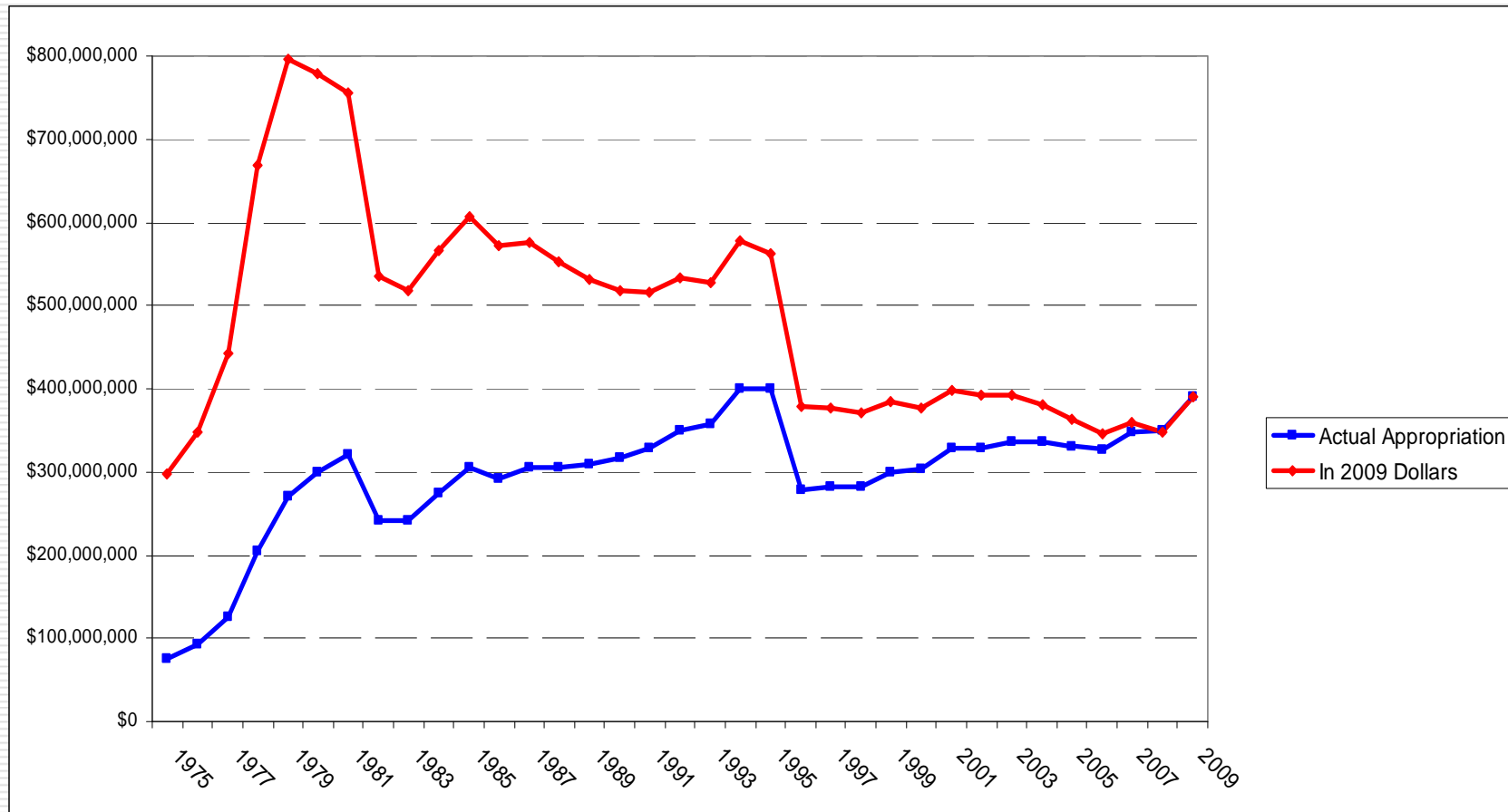
Number of active Virginia Lawyers (27,901), VSB Membership Report, 4/1/10.

Number of Virginia Legal Aid Attorneys (157), LSCV Grant Applications, 2009-2010.

Virginia Population figure (overall population, (7,882,590) and poverty population (804,024), US Census website.

*Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services*

# Federal LSC Funding Levels Since 1975

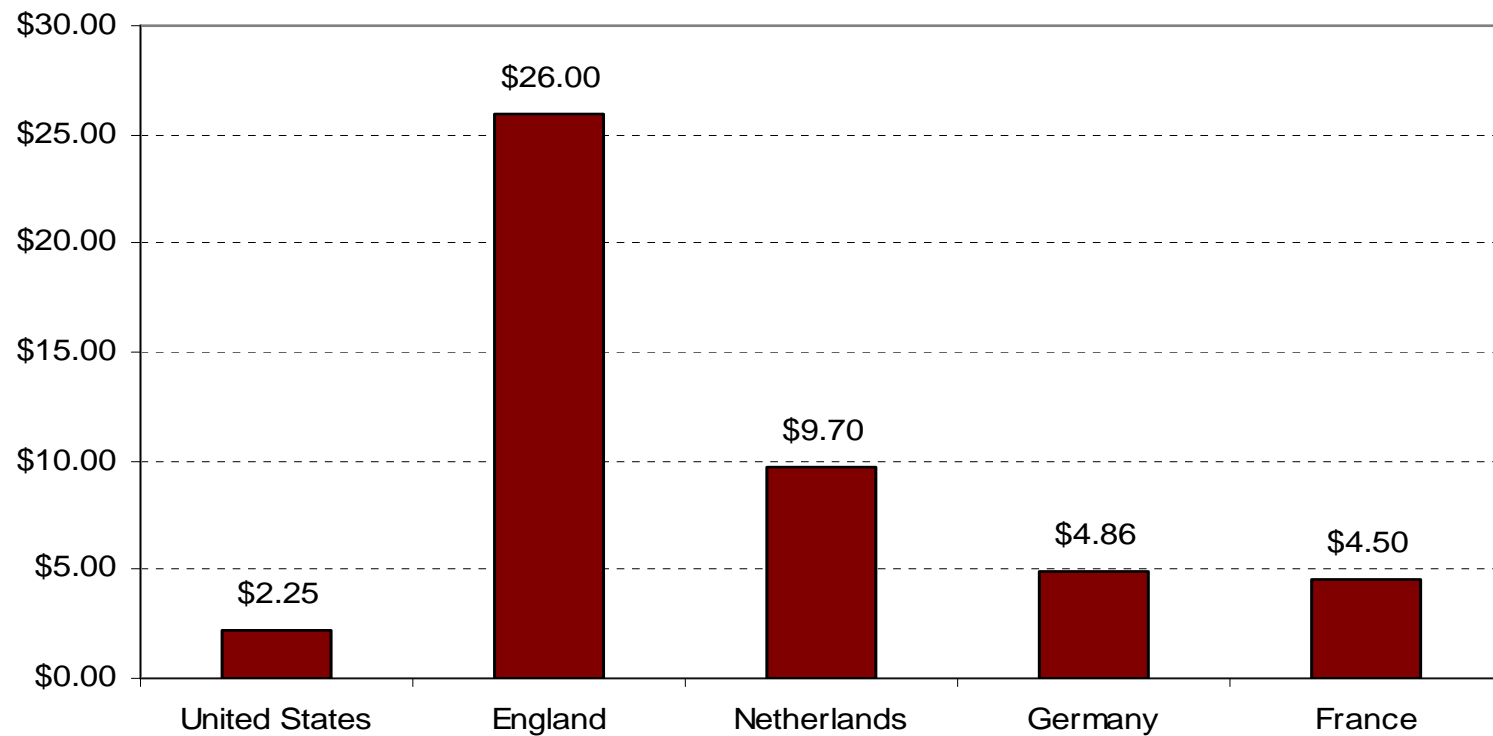


Source: Legal Services Corporation

Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services

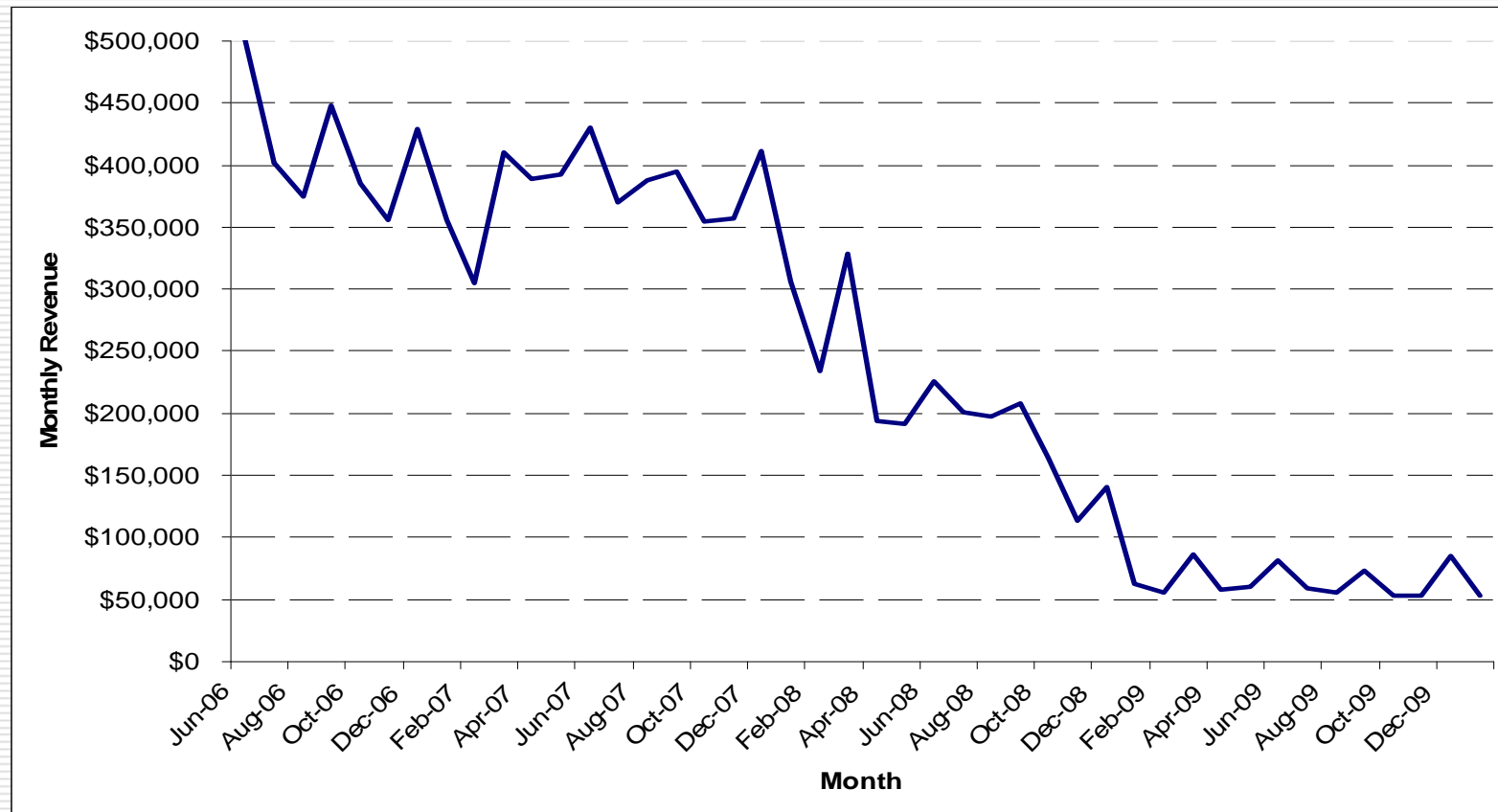


## Government Per Capita Spending on Civil Legal Services for the Poor



Source: *Access to Justice: Opening the Courthouse Doors*, The Brennan Center for Justice, 2007.

# Declining IOLTA Revenue in Virginia 2006-2010

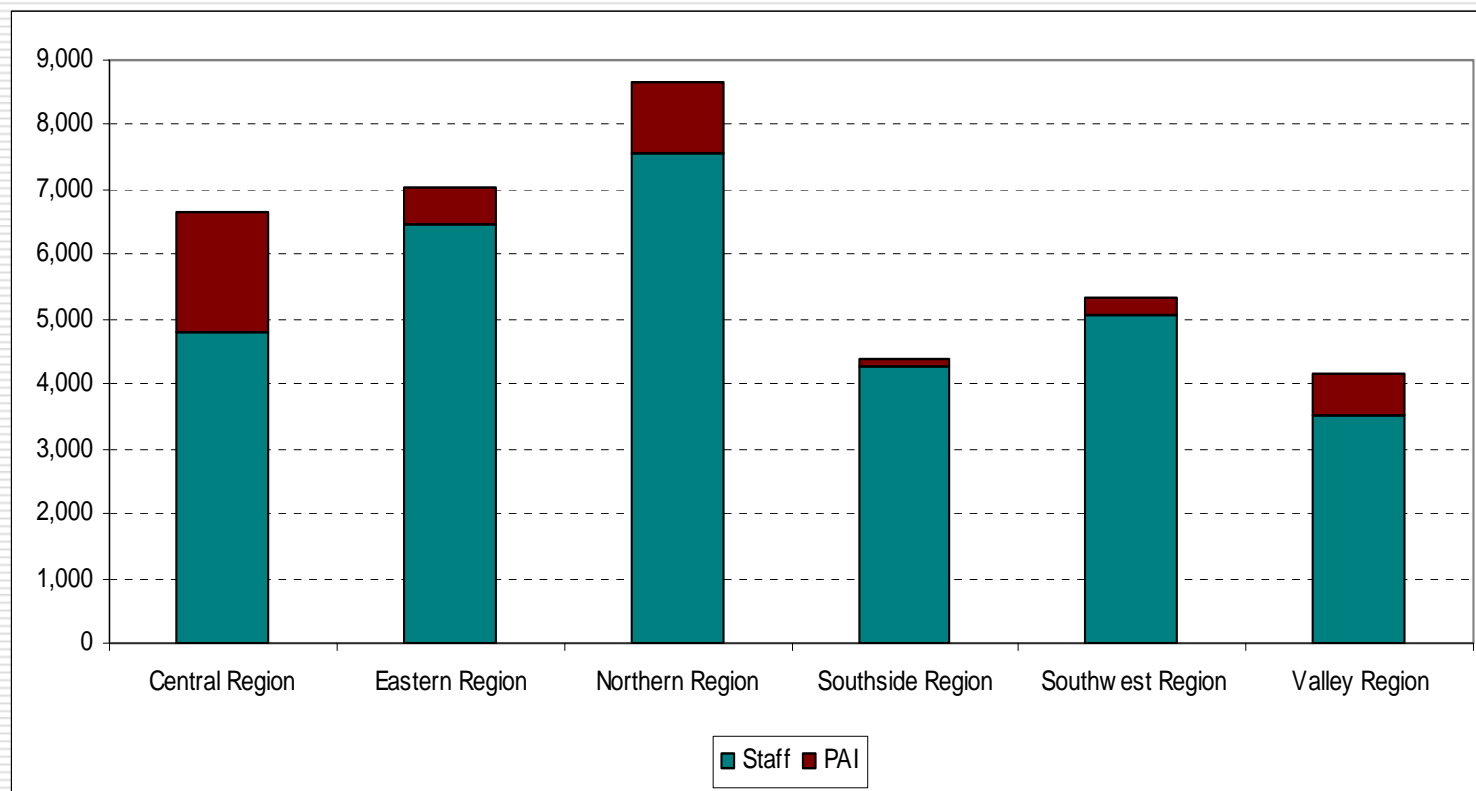


Source: Legal Services Corporation of Virginia (LSCV)

*Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services*

# Number of Cases Closed by Legal Aid Staff and their Private Attorney Involvement (PAI) Programs By Region- FY 2008-2009

11

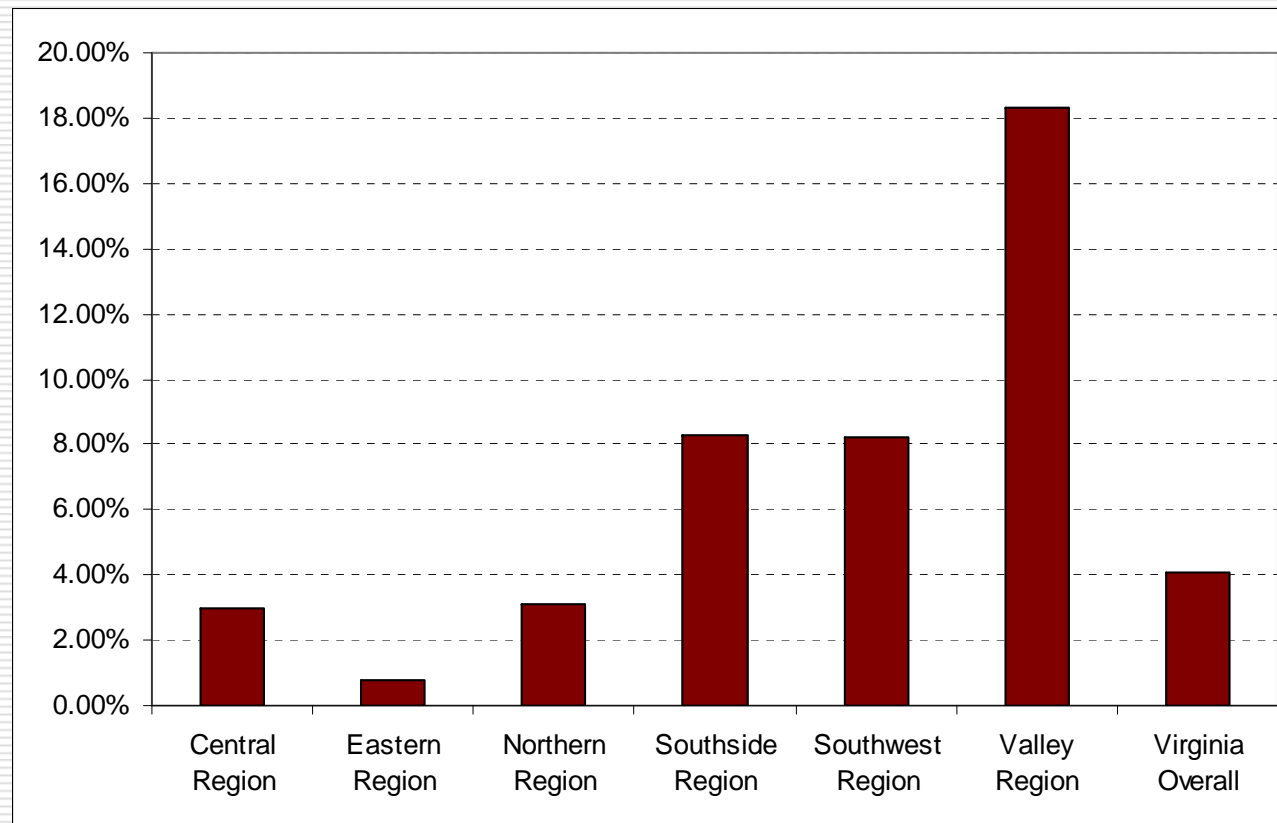


Source: Legal Services Corporation of Virginia (LSCV)

*Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services*

## Percentage of Attorneys Who Participated in Legal Aid-Related Pro Bono Work, FY 2008-2009

---



Sources: Number of PAI Attorneys Participating in Legal Aid PAI Programs, LSCV  
Number of Attorneys per Region, VSB Membership Report

*Prepared by John E. Whitfield, Executive Director,  
Blue Ridge Legal Services*