

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS  
TO SUPREME COURT RULE 216:  
CLIENT INTEREST BEARING TRUST  
ACCOUNTS; CREATION OF  
FOUNDATION.

ADKT 0479

**FILED**

MAY 23 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

*ORDER SCHEDULING PUBLIC HEARING*

On May 12, 2022, James W. Hardesty, Associate Chief Justice and Kristina Pickering, Justice, of the Nevada Supreme Court, on behalf of the Access to Justice Commission, filed a petition seeking to amend Supreme Court Rule (SCR) 216 related to interest-bearing trust accounts (IOLTA). The proposed amendments are attached as Exhibit A.

The Nevada Supreme Court will conduct a public hearing on the petition on June 7, 2022, at 1:30 p.m. in the Nevada Supreme Court Courtroom, 408 East Clark Avenue, Las Vegas, Nevada. The hearing will be videoconferenced to the Nevada Supreme Court Courtroom, 201 South Carson Street, Carson City, Nevada.

Further, this court invites written comment from the bench, bar, and public regarding the proposed amendments. Comments may be submitted electronically or in hard-copy format to: Elizabeth A. Brown, Clerk of the Supreme Court, 201 South Carson Street, Carson City, Nevada 89701 by 5:00 p.m., June 3, 2022. Persons interested in participating in the hearing must notify the Clerk no later than June 3, 2022.

It is so ORDERED.

 C.J.  
Parraguirre

cc: Ann Morgan, President, State Bar of Nevada  
Kimberly Farmer, Executive Director, State Bar of Nevada  
Brad Lewis, Director, Access to Justice, State Bar of Nevada  
Clark County Bar Association  
Washoe County Bar Association  
First Judicial District Bar Association  
Douglas County Bar Association  
Elko County Bar Association  
Administrative Office of the Courts

**EXHIBIT A**  
**AMENDMENT TO SUPREME COURT RULE 216**

**Rule 216. Creation of a foundation.**

1. The board of governors, with the approval of the supreme court, shall designate a tax-exempt bar foundation for the purposes of providing legally related services to the poor, to the victims of domestic violence, and to children protected by or in need of protection of the juvenile court; promoting or providing law-related educational programs for members of the public; and providing similar programs which qualify for tax-exempt status by the United States Internal Revenue Service under I.R.C. section 501(c)(3) or any additions thereto or amendments thereof. To carry out these purposes, the bar foundation may utilize the income accrued from interest-bearing client's trust accounts (IOLTA funds) as authorized by Rules 216 through 221, and as the supreme court may otherwise order.

(a) [~~Substantially all~~] Ninety-six percent of IOLTA funds, after adequate reserves (as approved by the supreme court) and reasonable expenses, shall be disbursed to civil legal service providers approved by the Access to Justice Commission for the purposes of providing legally related services to the poor, to victims of domestic violence, and to children protected by or in need of protection of the juvenile court. The remaining four percent of IOLTA funds shall be spent as the bar foundation deems appropriate, keeping in mind the purpose set forth in this rule.

(b) Among factors to be considered in disbursing the funds should be the geographic origin of the funds.

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