



## Nevada Supreme Court Access to Justice Commission

Meeting - Friday, March 25, 2022 2:00 PM – 4:00 PM

Join Zoom Meeting

<https://nvbar.zoom.us/j/81465140636>

You may simply join with computer audio if your computer has speakers/microphone. If your computer does not have speakers/microphone or you are in a location where audio would disturb others you may use your phone for audio.

Meeting ID: 814 6514 0636

877 853 5257 US Toll-free  
888 475 4499 US Toll-free

### Meeting Agenda

<b>I. Opening Statements from Co-Chairs &amp; Commission Roll Call</b>	<b>5 minutes</b>
<b>II. Consent Agenda</b> <ul style="list-style-type: none"><li>• Approval of November 5, 2021 Commission Meeting Minutes</li></ul>	<b>5 minutes</b> <b>Tab 1</b>
<b>III. Discussion Items</b> <ul style="list-style-type: none"><li>• <b>Unbundled Services</b><ul style="list-style-type: none"><li>◦ Draft rules and forms</li></ul></li><li>• <b>Eviction Mediation Program Update</b></li><li>• <b>IOLTA</b><ul style="list-style-type: none"><li>◦ Discussion on Adopting IOLTA Funding Rule for Nevada Legal Service Providers</li><li>◦ Financial institution thanks/legal aid tours</li></ul></li><li>• <b>Language Access Committee</b></li><li>• <b>Reinvigorate Pro Bono Efforts Post COVID</b><ul style="list-style-type: none"><li>◦ Judicial “Views from the Bench”/CLE for Pro Bono Promo</li></ul></li><li>• <b>Elder Grant – Library Legal Kiosk Program Update</b></li><li>• <b>Commission Membership Update</b></li></ul>	<b>20 minutes</b> <b>10 minutes</b> <b>15 minutes</b>  <b>10 minutes</b> <b>10 minutes</b>  <b>5 minutes</b> <b>5 minutes</b>
<b>IV. Reports</b>	<b>5 minutes</b>
<b>V. Other Business</b> <ul style="list-style-type: none"><li>• Washoe Legal Services Child’s Voice Luncheon April 29</li></ul>	<b>5 minutes</b>
<b>VI. Informational Items</b> <ul style="list-style-type: none"><li>• Legal Aid Provider Highlights</li><li>• Self-Help Center Statistics</li><li>• Triannual Provider Call Recap</li><li>• Nevada Bankers Association <i>The IOLTA Report</i></li><li>• Public Awareness</li></ul>	<b>Tab 3</b>



## Nevada Supreme Court Access to Justice Commission

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### **Upcoming 2022 Access to Justice Commission Meetings**

Meetings are Fridays at 2:00 p.m. – 4:00 p.m.

**June 17**

**November 4**

### **Our Purpose**

- Assess current and future civil legal needs.
- Develop statewide policies to improve legal service delivery.
- Improve self-help and pro bono services.
- Increase public awareness of the impact of limited access to justice.
- Investigate and pursue increased funding.
- Recommend legislation or rules affecting access to justice.



## ACCESS TO JUSTICE COMMISSION

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### Access to Justice Commission Meeting Minutes Friday, November 5, 2021 – 1:00 p.m.

#### **Commission Members Present**

Chief Justice James Hardesty, Co-Chair  
Justice Kristina Pickering, Co-Chair  
Connie Akridge  
Justice Elissa Cadish  
Milan Chatterjee  
Deonne Contine  
John Fortin  
Mary "Kate" Groesbeck  
Annamarie Johnson  
Judge Joanna Kishner  
Margaret Lambrose  
Judge Cynthia Lu  
Augusta Massey  
Victoria Mendoza  
Joseph McEllistrem  
Judge Bridget Robb  
Marissa Rodriguez  
Judge John Schlegelmilch  
Doreen Spears Hartwell  
Judge Connie Steinheimer  
Judge E. Alan Tiras  
Anne Traum  
Steven "J.T." Washington  
Michael Wendlberger  
Judge Nathan Tod Young

#### **Guests Present**

Barbara Buckley  
Elana Graham  
Emily Reed  
Susan Splan  
Sugar Vogel

#### **Staff Present**

Brad Lewis



### **Call to Order/Roll Call/Minutes**

The Access to Justice Commission meeting was called to order. Chief Justice James Hardesty welcomed all and congratulated Anne Traum on her nomination to the federal bench. A roll call was conducted and approval of the June 25, 2021 minutes was requested. The minutes were adopted for the record after typographical errors were noted for correction.

### **Nevada Supreme Court Recognition of Sugar Vogel and Elana Graham**

Chief Justice Hardesty welcomed Sugar Vogel and Elana Graham, recently having left their long-term posts at Southern Nevada Senior Law Program. He thanked and congratulated them on their – not only service – but devotion, support and shepherding of the program from a City of Las Vegas agency to an important, self-sustaining nonprofit organization. Justice Kristina Pickering thanked Ms. Vogel and Ms. Graham and recognized them for their inspiring work and having done so much good for so many in southern Nevada. Ms. Vogel and Ms. Graham thanked the Justices and the Commission for the time and attention to legal matters for those less fortunate. They outlined that the extraordinary efforts on IOLTA over the years have made such a difference to legal aid outcomes for low-income Nevadans. A certificate of appreciation was bestowed upon both from the Court.

### **Nominating Committee**

The Nominating Committee recommended that the Commission vote in four new members. Marissa Rodriguez, City of North Las Vegas Senior Deputy City Attorney as referred for participation by the State Bar of Nevada Board of Governors under SCR 15 2(f), and John Fortin, attorney with Pisanelli Bice as referred for participation by the State Bar of Nevada's Young Lawyers Section under SCR 15 2(g). Connie Akridge - SCR 15 2(i), and Adam Tully - SCR 15 2(i), will continue their service to the Commission under the updated slots noted. It was so moved and voted unanimously. Chief Justice Hardesty welcomed Ms. Rodriguez and Mr. Fortin and thanked Ms. Akridge and Mr. Tully for continuing to serve the Commission. He encouraged all recent and new Commission members to become engaged with the Commission and encouraged outreach to Brad. Brad will follow up with a list of engagement opportunities.

### **Eviction Mediation Program (EMP)**

The EMP continues with rental assistance mostly remaining available. Court case volume has reduced from its peaks and is returning to more normal, though slightly elevated levels. It does seem the case types have been changing, including more true hardship cases and even senior fraud cases being seen. In 2022, the EMP is planned to transition to Home Means Nevada (HMN - Nevada Supreme Court-appointed program administrator) contracting with the most successful mediators and running all daily aspects of the program. Long term it has been recognized that some sort of social services intervention and assistance with, minimally, difficult cases may be necessary. Chief Justice Hardesty indicated that mediator and interpreter funding for 2022 has been secured. Mediator payments will also transition from the Nevada Supreme Court to HMN in January 2022. EMP program financial sustainability is secure for 2022.



Barbara Buckley stated that evictions continue to be the number one issue being seen at legal aid. With COVID-19 still affecting the Las Vegas economy and employment, Legal Aid Center of Southern Nevada continues to receive about 5000 inquiries each month. Simultaneously, housing market conditions are such that some tenants are seeing substantial rent increases, some as much as \$900 increases.

Fortunately, the EMP did avert the predicted tsunami. However, negative effects continue. Negative effects within the low-income community are seen with health and even suicide. There are continuing problems with the first court process being the tenant answer rather than the landlord complaint, causing wide confusion among the public. Affecting change and transitioning to a more workable scenario must be sought. Doreen Spears Hartwell inquired about the number of mediators engaged. Brad replied that currently there are about 80 and if HMN contracts with select mediators that number is expected to be reduced with each accepting more cases. No further new mediator outreach is anticipated.

Chief Justice Hardesty suggested the need to reexamine mediator compensation and noted the continuing concern with cases being continued for 30 days while rental assistance is taking six weeks. He noted that U.S. Treasury Department has relaxed requirements for proof of COVID and documentation with the goal to get rental assistance to those in need. Ms. Buckley noted that it is important to discuss the next chapter and suggested Bailey Bortolin could share recommendations with the Governor. An evictions specialty court may be among the recommendations, and could feature rental assistance, mediation, social services and more. Part of the solution is likely to require a legislative fix, and part is likely a judicial fix. Chief Justice Hardesty suggested we may need to consider a Commission committee to discuss and submit meaningful recommendations and, if so, perhaps this is an opportunity for a new Commission member or two to engage.

### **Unbundling**

At the last meeting the Commission voted to advance with the Nevada Legal Services unbundling ADKT draft redlined by Justice Elissa Cadish. Chief Justice Hardesty thanked Justice Cadish and Justice Pickering for engaging in next steps. He did see the intervening communications that noted substantive concerns relating to negative effects seen with unbundled cases in the Eighth Judicial District Court and referenced the meeting materials outlining the purpose of the initiative, background, and concerns provided for review. (Available from the Commission.) Ms. Buckley believed it was necessary to put the concerns on the record before the Commission before proceeding with the draft for public comment.

Based on the problems outlined, inquiries were made regarding the degree to which the judges and courts are involved in overseeing the issues outlined. It was noted that not all attorneys are honoring notices required in writing and finishing the work as prescribed. Here it was outlined that some jurisdictions required court approved forms for entry and exit from cases. Questions were raised about the rules' best applicability to all civil, only family, or even only pro bono cases. Chief Justice Hardesty



suggested that in light of these issues, a subcommittee should be formed to research, review and sort out these items. It was agreed that Justice Cadish, Judge Kishner, Judge Robb, Connie Akridge, Annette Bradley, Annamarie Johnson, Ms. Hartwell, and a representative appointed by Legal Aid Center should meet to discuss this issue further with the goal to bring a revision to the March 2022 Commission meeting. Brad to follow up.

#### **Statewide Technology and Forms Committee**

This committee was created to make court forms commonly used by the self-represented public the same for use and acceptance in any justice court statewide. The goal was to begin with the five most commonly used forms. Statewide forms use was researched and the committee narrowed down the first forms needed for consideration. (Background available from the Commission.) The committee then agreed to mostly use existing forms used in Clark and Washoe Counties. This was agreed to by Commission member Judge E. Alan Tiras as the committee's representative and contact with Nevada Judges of Limited Jurisdiction. The committee also felt it was critical to have the Commission vote on these forms and encourage their acceptance at the time of dissemination. During the discussion Justice Cadish requested that the forms first be shared with the Commission for review before voting. Brad will send to the full Commission. It was also noted that the fee waiver form is different between Justice and District Courts and that matter should be addressed in advance of the next Commission meeting.

#### **IOLTA**

IOLTA continues apace in a tough rate environment. Chief Justice Hardesty outlined that he would be personally thanking Nevada IOLTA-participating financial institutions for their support prior to yearend. In addition, a letter in support of Nevada financial institutions earning Community Reinvestment Act (CRA) credit for IOLTA would be drafted for submission to Nevada Senators in the first quarter of 2022. CRA credit for IOLTA is offered in some regions but not Nevada and it would make IOLTA contributions more favorable for Nevada banks.

#### **Celebrate Pro Bono Week**

It was reported that *Celebrate Pro Bono Week* in Nevada was successful this year, though altered for the second year due to COVID-19. All programs offered a variety of legal aid fairs and Ask-A-Lawyer sessions online and in person throughout the state. The Ferraro Group, the Nevada Supreme Court's public liaison, issued a statewide media release promoting the 2021 events.

#### **Nevada Legal Services Ideas for Discussion**

- Legal Needs Study Refresh – Annamarie Johnson of Nevada Legal Services (NLS) suggested that the Commission may want to consider a refresh of the Nevada legal needs study finalized and published in 2018. The Legal Services Corporation has requested that all grantees conduct fresh research in light of COVID. It was suggested that it may be an item for further discussion.



- Disaster Plan – Ms. Johnson also suggested that the Commission may want to consider a disaster and emergency plan. NLS has one and it was recently implemented in working with California while planning potential services required due to the wildfires near Reno. She suggested that perhaps a Nevada statewide plan makes sense. NLS's plan is based on the ABA model. It was noted that Clark County has an emergency and disaster plan based on the October 1 mass shooting. FEMA has plans for natural disasters. It was suggested that existing plans be submitted for review and discussion among the legal aid providers.
- Brad will include both items as agenda items on the next legal aid provider call.

### **Elder Grant**

Commission staff coordinated several meetings in the last half of 2021 with the Nevada Department of Health and Human Services, Aging and Disability Services Division and all Nevada legal aid providers to discuss a potential grant to support senior legal services. While a variety of initiatives were discussed, it was determined that a legal kiosk/library initiative held the most promise for serving the most people in every corner of the state. Grant awards are to be made in December of 2021. If awarded, this initiative could be supported by the Legal Services Corporation's *Public Library Initiative* which will provide free national online training on civil legal information and services for public library staff. The grant proposes a program manager be hired under the direction of Nevada Legal Services in cooperation with the Commission and all of Nevada's legal aid providers. The Commission co-chairs drafted a letter in support of this grant which is available upon request of the Commission.

### **Reports**

- Nevada Legal Services – Ms. Johnson related that Celebrate Pro Bono Week was a success with far fewer people engaging in person and more participating online.
- Washoe Legal Services – Deonne Contine reported that the nature of evictions changed before and after COVID. Before COVID evictions were one of the lesser issues being seen. During COVID many more resources needed to be applied. Nevada Assembly Bill 486 was needed and has helped prevent evictions in a serious time of need, but has also caused cases to take more time and require more resources. Also, foster cases have skyrocketed. Before COVID about 700 cases were being seen but now foster cases number more than 1000.
- Legal Aid Center of Southern Nevada – The key concern being seen is how to address the volume of evictions while simultaneously assisting with Afghanistan refugees. Ms. Buckley thanked the new Commission members for agreeing to serve the needs of low-income Nevadans. She added that a limited Legal Aid Center Pro Bono Luncheon would proceed in December of 2021 at the Wynn with COVID protocols in place.
- VARN – Victoria Mendoza shared VARN is seeing quite a lot of evictions and that domestic violence occurs as before but has gotten worse with COVID. Rural courts were more lenient with court appearances at the beginning of COVID but now appearance requirements are



becoming the norm. VARN's Lawyer in the Library program has exploded with more participation now that they are being conducted by phone. VARN has moved to its new location in Carson City.

- Washoe County Lawyer in the Library - Emily Reed reported that the virtual Lawyer in the Library program has attracted both attorneys and citizens alike and has been a great success.

### **Informational Items**

Informational items included the following. Details upon request from the Commission:

- Celebrate Pro Bono Week 2021 Media Placements
  - [Fox 5](#)
  - [KOLO TV](#)
  - [Nevada Business](#)
- State Bar of Nevada Dues Check Off Donations Progress
- Legal Aid Provider Highlights
- Self-Help Center Statistics
- Triannual Provider Call Recap
- Nevada Bankers Association *The IOLTA Report*
- Public Awareness

ADOPTION OF RULE \_\_\_\_ OF THE NEVADA RULES OF CIVIL PROCEDURE

(a) "Limited scope representation" may be commenced either by:

1. An attorney entering into a private agreement with a person involved in a court proceeding that creates an attorney-client relationship where the attorney and the person seeking legal services have agreed that the scope of legal services will be limited to specific tasks that the attorney will perform for the person. The creation of a limited scope agreement shall be in writing and shall not bind the court or limit the court's ability to deny a request to withdraw as attorney except as provided by this rule; or
2. An attorney seeking leave of court to engage in limited scope representation in the permitted cases described in subpart (b) may do so as long as the appearance meets all of the requirements of this rule. The attorney engaging in limited scope representation shall clearly and with particularity describe the specific tasks that the attorney will perform on the record.

(b) Limited scope representation shall be permitted in the following areas: divorce,

annulments, dissolution of domestic partnerships, legal separation, child custody,  
paternity, child support, minor name change petitions, guardianships pursuant to NRS 159 or NRS 159A, and protection orders issued pursuant to NRS Chapter 33.

**Commented [RG1]:** Added to address requirement that agreement itself be in writing.

(c) An attorney may engage in limited scope representation if:

1. The person was referred to the attorney from a qualified legal services provider;
2. The attorney agrees to represent the person in a pro bono capacity and no compensation from any source for the representation is received by the attorney or their staff; and

**Commented [RG2]:** Added

**Commented [BL3]:** Separate Maintenance?

**Commented [RG4]:** Added to conform to limitation to family matters.

**Commented [RG5]:** Added

3. The person gives informed consent to the limited scope representation in writing or orally on the record in court. If consent is given orally on the record in court, the limited scope attorney shall file the Notice of Limited Scope Representation no later than 48 hours after the hearing.
  4. Nothing in this rule prevents district courts from allowing private attorneys from engaging in limited scope representation pursuant to this rule by local rule.
- (d) A “qualified legal services provider” is a nonprofit legal aid organization that receives IOLTA funds pursuant to SCR 216(1) or through a program sponsored by a court or governmental organization that is either co-sponsored by such a legal aid organization or approved by the Nevada Access to Justice Commission or its designee.
- (e) An attorney who contracts with a person involved in a court proceeding to limit the scope of representation shall:
1. File a Notice of Limited Scope Representation, in a form substantially similar to \_\_\_\_\_, signed by both the attorney and the limited scope party, with the court stating:
    - i. That the attorney is acting in a pro bono capacity and identifying the qualified legal services provider;
    - ii. The scope of the limited representation with particularity, including a list of the specific services the attorney will perform;
    - iii. **That any other party or their attorney is authorized and required to serve the limited scope party directly with any pleadings or papers filed with the court; and**

**Commented [RG6]:** Added to conform to Notice of Limited Scope Representation.

iv. That the opposing party or their attorney may communicate directly with the limited scope party for matters not stated in the scope of representation to the extent not otherwise prohibited.

Commented [RG7]: Added

2. Notify the court of that limitation at the beginning of each hearing in which the attorney appears and identify pleadings filed on behalf of the limited scope party in the signature block that the attorney is acting in a limited scope representation.

(f) Service of all papers after the filing of a notice of limited scope appearance as provided in this Rule must be made upon both the attorney making such limited scope appearance and the party on whose behalf the appearance is made. The limited scope party must be added to any electronic filing system utilized by the court and included in any electronic service list for service of papers or pleadings. The attorney must take all necessary steps to notify the court or register the party for electronic service to effectuate the requirements of this provision.

Commented [RG9]: Added

(g) The court may make any further additions or revisions to the limited scope representation as necessary to conclude or resolve any matter or hearing subject to the limited scope representation.

(h) An attorney who contracts with a party to limit the scope of representation, or is given leave by the court to act in a limited capacity, shall be permitted to withdraw only upon order of the court.

1. The attorney shall file a Notice of Completion of Services in Limited Scope Representation, in a form substantially similar to \_\_\_\_\_, containing a statement that:

- i. All services required by the agreement and the court are complete, including any post-hearing settlement discussions and preparation or review of the hearing order;
  - ii. Lists all the services completed; and
  - iii. Identifies the name of successor counsel or the address, email address, and telephone number of the party acting in proper person.
  - iv. ~~Notifies~~ the party subject to the limited scope representation and all other interested parties shall have seven days to file an objection to withdrawal stating the reasons for the objection and requesting a hearing.
2. ~~The~~ party subject to the limited scope representation and all other interested parties shall have seven days to file an objection to withdrawal stating the reasons for the objection and requesting a hearing.
  3. The Notice of Completion of Services in Limited Scope Representation must be served upon the party subject to the limited scope representation and all other parties to the action.
  4. If no objection is filed, the court shall sign the Order of Withdrawal.

(i) If the attorney fails to comply with these requirements:

1. The attorney shall be deemed to have made a general appearance and shall be responsible for all aspects of the case until order of the court.
2. ~~The court may, on motion or on its own, order sanctions, including a requirement that the party failing to comply pay the reasonable expenses, including attorneys fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust.~~

**Commented [RG10]:** Added to conform to Notice of Completion of Services

**Commented [RG11]:** Made this part of the rule and not simply part of the Notice of Completion of Services.

**Commented [RG12]:** Changed wording for the shall and may

**Commented [RG13]:** Used language from other sanctions sections of the NRCP.

(j) Nothing in this rule shall prevent an attorney acting in a limited scope from otherwise withdrawing on order of the court pursuant to RPC 1.16 prior to the completion of the limited scope of services.

**Commented [RG14]:** Added

ADOPTION OF RULE \_\_\_\_ OF THE NEVADA RULES OF CIVIL PROCEDURE

(a) "Limited scope representation" may be commenced either by:

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2. An attorney seeking leave of court to engage in limited scope representation in the permitted cases described in subpart (b) may do so as long as the appearance meets all of the requirements of this rule. The attorney engaging in limited scope representation shall clearly and with particularity describe the specific tasks that the attorney will perform on the record. ~~If consent is given orally on the record in court, the limited scope attorney shall file the Notice of Limited Scope~~

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~~Representation no later than 48 hours after the hearing.~~

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(b) Limited scope representation shall be permitted in the following areas: divorce,

annulments, dissolution of domestic partnerships, ~~legal separation, child custody,~~

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paternity, child support, ~~minor name change petitions, guardianships pursuant to NRS~~

**Commented [BL4]:** Separate Maintenance?

159 or NRS 159A, and protection orders issued pursuant to NRS Chapter 33.

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(c) An attorney who contracts with a person involved in a court proceeding to limit the scope

of representation shall:

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1. File a Notice of Limited Scope Representation, in a form substantially similar to \_\_\_\_\_, signed by both the attorney and the limited scope party, with the court stating:

- i. The scope of the limited representation with particularity, including a list of the specific services the attorney will perform;
- ii. That any other party or their attorney is authorized and required to serve the limited scope party directly with any pleadings or papers filed with the court; and
- iii. That the opposing party or their attorney may communicate directly with the limited scope party for matters not stated in the scope of representation to the extent not otherwise prohibited.

**Commented [RG7]:** Added to conform to Notice of Limited Scope Representation.

**Commented [RG8]:** Added

**Commented [RG9]:** Added

2. Notify the court of that limitation at the beginning of each hearing in which the attorney appears and identify pleadings filed on behalf of the limited scope party in the signature block that the attorney is acting in a limited scope representation.

(d) Service of all papers after the filing of a notice of limited scope appearance as provided in this Rule must be made upon both the attorney making such limited scope appearance and the party on whose behalf the appearance is made. The limited scope party must be added to any electronic filing system utilized by the court and included in any electronic service list for service of papers or pleadings. The attorney must take all necessary steps to notify the court or register the party for electronic service to effectuate the requirements of this provision.

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(e) The court may make any further additions or revisions to the limited scope representation as necessary to conclude or resolve any matter or hearing subject to the limited scope representation.

(f) An attorney who contracts with a party to limit the scope of representation, or is given leave by the court to act in a limited capacity, shall be permitted to withdraw only upon order of the court.

1. The attorney shall file a Notice of Completion of Services in Limited Scope Representation, in a form substantially similar to \_\_\_\_\_, containing a statement that:

- i. All services required by the agreement and the court are complete, including any post-hearing settlement discussions and preparation or review of the hearing order;
- ii. Lists all the services completed;
- iii. Identifies the name of successor counsel or the address, email address, and telephone number of the party acting in proper person; and
- iv. Notifies the party subject to the limited scope representation and all other interested parties shall have seven days to file an objection to withdrawal stating the reasons for the objection and requesting a hearing.

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2. The party subject to the limited scope representation and all other interested parties shall have seven days to file an objection to withdrawal stating the reasons for the objection and requesting a hearing.

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3. The Notice of Completion of Services in Limited Scope Representation must be served upon the party subject to the limited scope representation and all other parties to the action.
4. If no objection is filed, the court shall sign the Order of Withdrawal.

(g) If the attorney fails to comply with these requirements:

1. The attorney shall be deemed to have made a general appearance and shall be responsible for all aspects of the case until order of the court.
2. The court may, on motion or on its own, order sanctions, including a requirement that the party failing to comply pay the reasonable expenses, including attorneys fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust.

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(h) Nothing in this rule shall prevent an attorney acting in a limited scope from otherwise withdrawing on order of the court pursuant to RPC 1.16 prior to the completion of the limited scope of services.

**Commented [RG14]:** Used language from other sanctions sections of the NRCP.

**Commented [RG15]:** Added

Attorney: \_\_\_\_\_

Bar No: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Attorney for: \_\_\_\_\_

**IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT  
IN AND FOR THE COUNTY OF \_\_\_\_\_, STATE OF NEVADA**

PLAINTIFF,

Plaintiff,

v.

DEFENDANT,

Defendant.

Case No.:

Dept.:

**NOTICE OF LIMITED SCOPE REPRESENTATION**

Pursuant to Nevada Rule of Civil Procedure \_\_\_, the undersigned hereby makes a limited scope appearance on behalf of \_\_\_\_\_, Plaintiff/Defendant. The undersigned is serving in a pro bono capacity having accepted the case from \_\_\_\_\_, a qualified legal services provider.

1. \_\_\_\_\_, limited scope counsel for Plaintiff/Defendant, have entered into a written agreement to represent the party for a limited scope of services. Limited scope counsel will serve as attorney of record only for the following specific issues or matters before the court:

**Scope of Services**

2. Any other party, or their attorney, must serve the undersigned with all pleadings related to the above-stated matters. Any other party, or their attorney, is authorized and required to also serve the Plaintiff/Defendant directly.
3. Any other party, or their attorney, may communicate directly with the Plaintiff/Defendant for all matters not stated in the above Scope of Services to the extent not otherwise prohibited.

4. INFORMED CONSENT LANGUAGE: Plaintiff/Defendant understands the limited scope attorney will only complete the Scope of Services listed above and that Plaintiff/Defendant is responsible for all other aspects of their case not specifically listed above.

► 

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*(Attorney's signature)*

---

*(Attorney's printed name)*

► 

---

*(Client's signature)*

---

*(Client's printed name)*

Attorney: \_\_\_\_\_

Bar No: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Attorney for: \_\_\_\_\_

**IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT  
IN AND FOR THE COUNTY OF \_\_\_\_\_, STATE OF NEVADA**

PLAINTIFF,

Plaintiff,

v.

DEFENDANT,

Defendant.

Case No.:

Dept.:

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Pursuant to Nevada Rule of Civil Procedure \_\_\_, the undersigned hereby makes a limited scope appearance on behalf of \_\_\_\_\_, Plaintiff/Defendant.

1. \_\_\_\_\_, limited scope counsel for Plaintiff/Defendant, have entered into a written agreement to represent the party for a limited scope of services. Limited scope counsel will serve as attorney of record only for the following specific issues or matters before the court:

**Scope of Services**

2. Any other party, or their attorney, must serve the undersigned with all pleadings related to the above-stated matters. Any other party, or their attorney, is authorized and required to also serve the Plaintiff/Defendant directly.
3. Any other party, or their attorney, may communicate directly with the Plaintiff/Defendant for all matters not stated in the above Scope of Services to the extent not otherwise prohibited.

4. INFORMED CONSENT LANGUAGE: Plaintiff/Defendant understands the limited scope attorney will only complete the Scope of Services listed above and that Plaintiff/Defendant is responsible for all other aspects of their case not specifically listed above.

► \_\_\_\_\_  
*(Attorney's signature)*

\_\_\_\_\_  
*(Attorney's printed name)*

► \_\_\_\_\_  
*(Client's signature)*

\_\_\_\_\_  
*(Client's printed name)*

Attorney: \_\_\_\_\_

Bar No: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Attorney for: \_\_\_\_\_

**IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT  
IN AND FOR THE COUNTY OF \_\_\_\_\_, STATE OF NEVADA**

PLAINTIFF,

Plaintiff,

v.

DEFENDANT,

Defendant.

Case No.: \_\_\_\_\_

Dept.: \_\_\_\_\_

**NOTICE OF COMPLETION OF SERVICES IN LIMITED SCOPE REPRESENTATION**

1. Pursuant to the terms of the agreement between \_\_\_\_\_, Plaintiff/Defendant herein, and undersigned counsel, undersigned counsel agreed to provide limited scope representation in the above-entitled matter.
2. Undersigned counsel was retained as attorney of record only for the services described in the Notice of Limited Scope of Representation filed in this matter or entered on the record in this matter on \_\_\_\_\_ (date).  The Notice of Limited Scope Representation is attached.
3. The court did or did not require additional services to be completed.
4. Undersigned counsel completed all services within the scope of the representation on \_\_\_\_\_ (date). The services completed were:

**Services Completed**

5. Undersigned counsel has caused or confirmed that the limited scope party has been added to the electronic service list or received a waiver of any electronic filing system used or required to be used by the Court.
6. The contact information for substitute counsel or the Plaintiff/Defendant in proper person is:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_
7. The Plaintiff/Defendant and all other interested parties shall have seven days to file an Objection to this Notice of Completion of Limited Scope Representation stating the reasons for the objection and requesting a hearing. If no objection is filed, the Court shall sign the Order to Withdraw.

DATED: \_\_\_\_\_

Respectfully submitted,  
**FIRM**

By: \_\_\_\_\_  
Attorney  
Nevada Bar No.  
Email  
Attorney for:

#### **NOTICE TO ALL PARTIES**

Undersigned counsel has filed a Notice of Completion of Services of the limited scope representation in this matter. PLEASE TAKE NOTICE that you have seven (7) days to object if you believe that the attorney has not completed all of the agreed upon services. A hearing on this matter will not be held unless an objection is filed and served on all parties and counsel in this matter. If no objection is filed, an order granting the withdrawal of undersigned counsel in this matter will be entered without further notice.

DATED: \_\_\_\_\_

Respectfully submitted,  
**FIRM**

By: \_\_\_\_\_  
Attorney  
Nevada Bar No.  
Email  
Attorney for:

<b>ROSTER</b>	<b>Access to Justice</b>					
1 <b>Hardesty</b>	<b>James</b>	<b>Justice</b>	<b>Co-Chair</b>	NV Supreme Court/N	2	
2 <b>Pickering</b>	<b>Kristina</b>	<b>Justice</b>	<b>Co-Chair</b>	NV Supreme Court/S	2	
3    Akridge	Connie		Representative	At Large Representative/S	2(i)	7/1/24
4    Bond	Bobbette		Culinary Union	Non-Attorney/S	2(h)	7/1/23
5    Bradley	Annette		Representative	Layperson/S	2(i)	7/1/23
6    Cadish	Elissa	<b>Justice</b>	Representative	At Large Representative/S	2(i)	7/1/23
8    Chatterjee	Milan		Representative	At Large Representative/S	2(i)	7/1/23
9    Contine	Deonne		Exec. Dir.	Washoe Legal Services/N	2(e)	7/1/22
10   Desmond	John		Representative	Washoe County Bar/N	2(f)	7/1/22
11   Danna	Nic		Director of the Office of Military Legal Assistance	Nevada Attorney General/ Special Assistant AG/N	2(d)	7/1/22
12   Fearon	Diane		Exec. Dir.	SNSLP/S	2(e)	7/1/23
13   Fortin	John		SBN Young Lawyers Rep.	SBN Young Lawyers Section/S	2(g)	7/1/24
14   Groesbeck	Mary "Kate"		Student Rep.	UNLV – PILA, President/S	2(g)	4/15/22
15   Johnson	Annamarie		Exec. Dir.	Nevada Legal Services/S	2(e)	7/1/22
16   Kishner	Joanna	Hon.	District Ct. Judge	Eighth JDC/S	2(a)	7/1/23
17   Lambrose	Margaret "Maggie"		501(c)3 Rep.	Nevada Bar Foundation/S	2(e)	7/1/23
18   Lu	Cynthia	Hon.	Representative	Washoe County Bar Association/SJDC/N	2(a)	7/1/23
19   Massey	Augusta		Representative	At Large Representative/S	2(i)	7/1/23
20   Mendoza	Victoria		Exec. Dir.	VARN/N	2(e)	7/1/22
21   McEllistrem	Joseph	Dr.	Representative	Layperson/N	2(h)	7/1/22
22   Robb	Bridget	Hon.	District Ct. Judge	Second JDC/N	2(a)	7/1/23
23   Rodriguez	Marisa		Sr. Dep. City Attorney	SBN Board Representative/S	2(f)	7/1/24
24   Schlegelmilch	John	Hon.	District Ct. Judge	3rd JDC/N	2(b)	7/1/23
25   Shortridge	Raine		Nevada State Bank	At Large Representative/S	2(i)	7/1/23
26   Spears Hartwell	Doreen		Representative	At Large Representative/S	2(i)	7/1/22
27   Steinheimer	Connie	Hon.	Representative	At Large Representative/N	2(i)	7/1/22
28   Stevens	Glen		United Healthcare/Sierra	Non-Attorney (G. Stevens, Esq.)/S	2(h)	7/1/23
29   Tiras	E. Alan	Hon.	Incline Village JP	Limited Jurisdiction Judge/N	2(c)	7/1/23
30   Traum	Anne		Faculty Representative	UNLV Boyd School of Law/S	2(g)	7/1/22
31   Tully	Adam		Representative	At Large Representative/N	2(i)	7/1/24
32   Washington	Steven "J.T."		Representative	At Large Representative/S	2(i)	7/1/23
33   Wendlberger	Michael		Pro Bono Project Dir.	LACSN/S	2(e)	7/1/23
34   Young	Nathan Tod	Hon.	District Ct. Judge	9 <sup>th</sup> JDC, Douglas County/N	2(i)	7/1/23



## **Access to Justice Highlights**

### **4<sup>th</sup> Quarter 2021**

#### **Overall Highlights re Activities, Community Initiatives & Outreach**

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##### **New Initiatives:**

We received 450 general day bus passes from the RTC for our clients through a successful grant application.

We took over a recycled mobile phone donation program from Family Court Judge Pickard to distribution phones to older CAP clients in need.

##### **Ongoing Initiatives:**

We continue to participate in AEAP monthly collaboration meetings with the State of Nevada and other AEAP sub-grantees.

We continue to provide written monthly updates with the Home Again Program to share resources and discuss legal issues related to consumer protection, including guardianship and housing matters.

We continue participating in quarterly meetings with Boyd Immigration Clinic and Catholic Charities to share information and resources related to current immigration trends and needs we are seeing in the community.

We publicly launched our mobile app *Rise Las Vegas* in November during Hunger and Homelessness Awareness week via a digital P.R. toolkit.

##### **Community Outreach Events – 12 total for this quarter:**

10/2/2021      Eviction clinic – Neighborhood Recreation Center – 8 attendees

10/13/2021      UNLV School of Medicine community resource event - Neighborhood Recreation Center – 12 attendees

10/22/2021      Wasden Elementary School fair – 35 attendees

10/26/21      National Celebrate Pro Bono AAL community event – East Las Vegas Library - 124 issues handled

10/28/2021      West Prep Academy School fair - 75 attendees

11/6/2021 City of Henderson Valley View Neighborhood Resource Fair - 100 attendees  
11/6/2021 Clark County Job Fair/mini eviction AAL – 26 attendees  
11/17/2021 Fall Project Homeless Connect – 27 attendees  
11/20/2021 Family Wellness Fair - Whitney Recreation Center – 10 attendees  
12/3/2021 Goodwill 5th Annual Holiday Resource Fair – Blvd. Mall - 50 attendees  
12/7/21 Gov. Sisolak's Job Fest – Las Vegas Convention Center – 22 attendees  
12/17/2021 Festival Decembrino/Winter Wonderland Festival – East Las Vegas Community Center – 250 attendees

**Legal Aid Center in the News:**

10/8/21 [https://www.fox5vegas.com/news/local/fox5-experts-legal-aid-center-attorney-weighs-in-on-las-vegas-rising-rent/article\\_76730a12-27df-11ec-8eab-8b1ec0135faf.html?block\\_id=1002851](https://www.fox5vegas.com/news/local/fox5-experts-legal-aid-center-attorney-weighs-in-on-las-vegas-rising-rent/article_76730a12-27df-11ec-8eab-8b1ec0135faf.html?block_id=1002851)  
10/18/21 <https://www.ktnv.com/13-investigates/las-vegas-woman-doesnt-feel-safe-at-the-gym>  
10/25/21 <https://www.ktnv.com/news/las-vegas-family-evicted-for-not-doing-enough-when-applying-for-financial-aid>  
10/28/21 State Bar of Nevada eNews re: Community Justice Fellowship opportunity  
11/1/21 <https://www.reviewjournal.com/news/politics-and-government/clark-county/county-housing-aid-theres-so-much-money-available-and-no-one-can-access-it-2469834/>  
11/2/21 <https://www.nevadacurrent.com/blog/legal-aid-center-designated-statewide-victim-assistance-center/>  
11/8/21 <https://www.8newsnow.com/news/i-team-a-closer-look-at-eviction-court-process-as-cases-continue-to-increase/>  
11/15/21 <https://www.ktnv.com/13-investigates/family-suing-cab-company-over-damaged-luggage>  
11/17/21 <https://app.criticalmention.com/app/#clip/view/98ef7ec1-fee1-4f07-8e86-e888714fb1a0?token=fe894c72-c632-4db0-9089-04b0582d4325>  
11/18/21 <https://www.nevadacurrent.com/2021/11/18/after-hiatus-project-homeless-connect-returns-to-link-people-with-services/>  
11/19/21 <https://thenevadaindependent.com/article/moratorium-staved-off-rush-of-foreclosures-new-state-data-shows>

11/28/21      <https://www.reviewjournal.com/local/afghan-who-fled-fall-of-kabul-lands-in-las-vegas-for-thanksgiving-2485228/>

11/29/21      <https://www.nevadabusiness.com/2021/11/paul-padda-joins-forces-with-legal-aid-of-southern-nevada-recognizing-current-recipients-at-the-first-annual-community-justice-fellowship-reception-november-30-2021/>

11/29/21      <https://law.unlv.edu/news/publications/unlv-law/who-knew-safe-home>

11/30/21      <https://www.stl.news/nevada-governor-to-speak-at-governors-jobfest-in-las-vegas/471780/>

12/3/21      [https://www.fox5vegas.com/news/goodwill-of-southern-nevada-to-host-holiday-resource-fair-at-boulevard-mall-today/article\\_6b3ad508-5435-11ec-850f-7b8eb5526876.html](https://www.fox5vegas.com/news/goodwill-of-southern-nevada-to-host-holiday-resource-fair-at-boulevard-mall-today/article_6b3ad508-5435-11ec-850f-7b8eb5526876.html)

12/11/21      <https://vegaspublicity.com/12847/pro-bono-attorneys-serve-as-a-lifeline-to-more-than-4700-low-income-individuals-and-families-during-the-pandemic.html>

12/23/21      State Bar of Nevada eNews re: 2021 Pro Bono Winners

## **New Videos**

We added **9** new videos to Legal Aid Center's YouTube channel this past quarter:

*Coffee with CAP!*

<https://www.youtube.com/watch?v=191XUSDOUT4>

*RISE – Free Resource App for Foster and Homeless Youth in Southern Nevada*

<https://www.youtube.com/watch?v=aJZwgPddn2k>

*Coffee with CAP – Earn CLE Credit & Get Tips from DFS!*

[https://www.youtube.com/watch?v=xt33B1G\\_xQY](https://www.youtube.com/watch?v=xt33B1G_xQY)

*21<sup>st</sup> Annual Pro Bono Awards Luncheon*

<https://www.youtube.com/watch?v=eopl-nNhZ3c>

*Alyssa Aklestad – 2021 Louis Wiener Pro Bono Service Award*

<https://www.youtube.com/watch?v=L3aCifO9-6o>

*Jason Onello – 2021 Pro Bono Attorney of the Year*

<https://www.youtube.com/watch?v=DcYUE8kwle8>

*The Gift of Ask-A-Lawyer – Doreen Spears Hartwell*

<https://www.youtube.com/watch?v=qjGi4eVCnFg>

*What We Gain from Pro Bono – Lynn Fulstone*

<https://www.youtube.com/watch?v=PZJnTBIE0vQ>

*Advocating for Children – Athena Eliades*

<https://www.youtube.com/watch?v=M--eYlgZtdg>

We added **8** new videos to Vegas Strong Resiliency Center's YouTube channel this past quarter:

*HEART Peer Mentor Training Information Session*

<https://www.youtube.com/watch?v=e6o0QYFexq4&t=716s>

*Surviving & Thriving Through the Lasting Impacts of Trauma*

[https://www.youtube.com/watch?v=CY-\\_habuNcU](https://www.youtube.com/watch?v=CY-_habuNcU)

*Governor Steve Sisolak – Creando Luz en la Oscuridad*

<https://www.youtube.com/watch?v=k4spCs0Uzol>

*Healing Hearts: Grief, Trauma & Recovery After Losing a Loved One*

<https://www.youtube.com/watch?v=Ap76OFU8u4A>

*Free Online Grief Recovery Workshops*

<https://www.youtube.com/watch?v=0dqxN2UVy2Y>

*Trauma Recovery Yoga with Brenda Hershey*

<https://www.youtube.com/watch?v=lJmloU5ejdo>

*Harmony Through the Holidays*

<https://www.youtube.com/watch?v=cxaIWHSggGM>

*Manejando el duelo durante las fiestas*

<https://www.youtube.com/watch?v=lB0sTkFdUmg>

## **Consumer Case Highlights**

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**Bryce\***

Legal Aid Center recently represented a tenant, Bryce, who is afflicted by a particular type of amnesia. In order to remember who and where he is – as well as what's happening in his daily life – Bryce leaves himself sticky notes around his apartment as reminders. Last year, Bryce's good friend and roommate passed away from COVID-19. Since then, Bryce has largely relied

on a social worker who is now helping Bryce apply for social Security disability benefits and subsidized housing.

Unfortunately, without his friend's income and assistance, Bryce quickly fell behind on rent. Bryce called Legal Aid Center when he received an eviction notice from his landlord. He spoke with an attorney who immediately grasped the seriousness of Bryce's situation. If Bryce lost his housing and his sticky note system, Bryce might never regain stability. Bryce's attorney immediately filed an answer with the court to protect Bryce. The attorney then contacted Clark County's CHAP program to verify the status of Bryce's application for rental assistance, which Bryce's social worker had previously submitted, and to expedite Bryce's application if possible.

By the time of Bryce's court-ordered eviction mediation, Bryce had still not been approved for rental assistance. Bryce's Legal Aid Center attorney appeared at the mediation for Bryce and tried to reassure the landlord that Bryce would pay the back rent he owed. But the landlord was skeptical that Bryce would be able to navigate the CHAP system to obtain the money. The landlord wanted to move forward with the eviction, but Bryce's attorney convinced the mediator to continue the mediation instead. The attorney assured the mediator that he would personally make sure that Bryce's CHAP application was completed correctly and would shepherd the application through the entire process.

Good to his word, Bryce's attorney ensured that all required documentation was submitted to CHAP and that Bryce's application was assigned to a case worker as quickly as possible. In December, Bryce's CHAP caseworker emailed Bryce and his attorney to let them know Bryce had been approved for a full fifteen months of back rent. Bryce's attorney was able to attend the continued mediation last week to inform the mediator that the landlord would be receiving all of the money Bryce owed shortly.

Bryce's attorney was able to avoid this eviction, but there are still issues to address so that Bryce can be stable moving forward. To that end, Legal Aid Center is now assisting Bryce with his Social Security disability case. For now, though, Bryce remains housed with his sticky note system in place.

\* Name changed to protect client's confidentiality

## **Guardianship Advocacy Program Case Highlights**

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### ***Joe\****

Joe is a sharp 81 year old gentleman. When Legal Aid Center counsel first spoke to Joe, he was a resident at a group home. He was placed there following a hospital stay after suffering a fall. The hospital did not have contact information for any family members and discharged Joe to a woman he did not know but who had an affiliation with the group home. That same woman filed a petition to be appointed as Joe's guardian of his person and estate due to a dementia diagnosis. The guardianship petition stated there was no knowledge of any family members. The woman also somehow became Joe's representative payee for his social security benefits.

Legal Aid Center counsel informed Joe a guardianship petition was filed by the woman and he said he did not know her very well. If anyone was going to be his guardian, Joe wanted it to be his daughter because he only trusts her with his money. Joe was unaware the woman was his payee for his social security benefits. It was his belief that his benefits were being deposited into his credit union as they always had been. He told counsel he also receives a sizeable pension from his days as a longshoreman in California and was concerned the woman was trying to take control of his money. Joe provided counsel with a telephone number for his daughter.

Legal Aid Center counsel spoke with Joe's daughter and she was aware that he was in the group home and had been speaking with him regularly. She was unaware that a guardianship petition was filed. In fact, she tried to speak with the woman about her father in the weeks prior but the woman refused to speak with her. Joe's daughter informed counsel she was always willing to have her father live with her but was being blocked from picking him up. Legal Aid Center counsel filed an objection to the petition on Joe's behalf, stating that the petition was based on inaccurate information and that his daughter will be taking him into her home.

Joe's daughter went to the group home to pick up her father prior to the guardianship hearing. Joe had already confirmed he would prefer to live with his daughter. The group home refused to release Joe to his daughter. The group home was not a locked facility, nor had Joe signed any contract to be there, so the group home was effectively holding him against his will.

At the hearing on the guardianship petition, the court was extremely wary of the woman and her intentions. The court appointed an investigator into the woman's background, as well as an investigation into the group home's business practices. It turned out the woman also filed guardianship petitions related to multiple other individuals who were hospitalized and family was not located. The investigation into this woman is ongoing.

The court denied the guardianship petition and ordered the group home to release Joe to his daughter. Joe is now happily living comfortably with his daughter.

## **Family Justice Project Case Highlights**

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### ***Jennifer\****

Our office provided legal representation to Jennifer who was victim of severe domestic violence. Jennifer is the mother of three-month child and lived with the father of the child. The father was very violent and controlling. Jennifer sought our assistance with obtaining a restraining order based on three separate incidents that occurred in the month of October, wherein the father of the child held a loaded gun to her head while she was holding their infant son. Following the third incident, she finally got the courage to flee while the father/abuser was away. She applied for an order of protection. After obtaining her initial temporary order, the father of the child filed a motion to dismiss the action. Our office represented her in that motion hearing and the father/abuser's motion to dismiss was denied. The Extension hearing is now

scheduled and we will be seeking a two-year extension based on the severity of the incident. Jennifer was referred to safe nest for counselling assistance.

\* Name changed to protect client's confidentiality

## **Immigration Case Highlights**

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### ***Genet***

My client Genet at long last got her I-751 approved. She is a quiet and shy Ethiopian woman who got into a relationship with someone who turned out to be extremely abusive. When she made it to the United States, there were times she was locked in her room for several days at a time without contact with anyone. Her husband would lock her in the house and go several days even without buying or bringing her food. Eventually a fight ended with him throwing her onto a table and injuring her legs and head and she called the police. She was able to stay in a shelter and then get help from our office on the immigration portion of removing conditions on her residency based on the domestic violence. After a significantly longer delay than normal she was approved and is now happily working and providing for herself.

\* Name changed to protect client's confidentiality

## **Children's Attorneys Project Case Highlights**

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### ***Karl and Cathy\****

Karl 11 ½ (diagnosed with autism) and Cathy 10 were able to have their case closed approximately a month after their trial home visit began with their natural father via our attorney's advocacy. DFS never closes a case so quickly – usually opting to “monitor” a trial home visit for a minimum of 90 days.

I met with the children in Pahrump where they had been residing with their paternal grandmother. The children were adamant that their case be closed ASAP so they could move to California where their father was living. Karl stated over and over how much he disliked living in Pahrump. I assured the children that I would do all that I could to advocate for immediate case closure so that they could leave. They were worn down by the Department's involvement and felt that their caseworker wasn't supportive to them or their father. They felt that their caseworker was harsh and unkind – wanting to find problems with their father because she did not like him. (In my opinion, the children weren't wrong on this.) Cathy informed me that she had approached the worker to hug her on one occasion but the worker pushed her away. The children felt traumatized by the way their case was being handled/how they were being treated. It all felt punitive to them and they felt very distrustful of the Department. I reminded them that I was someone they could trust and that I would fight for them. I expressed concern about the way the case was being handled as well. They felt validated and hopeful – all smiles as I left that day.

DFS, as expected, moved the Court to give them at least 90 days to monitor the trial home visit before case closure. They stated that the father had tested positive on a hair follicle test recently as their basis for keeping the case open. The father's attorney, because a minimum of 90 days monitoring is customary, agreed to keep the case open longer. The father's attorney offered no argument regarding the father's drug test result. The Court was inclined to keep the case open longer.

I was able point out that body hair was used for the hair follicle drug test that demonstrated a positive – something that it appears the Court and the father's Attorney missed – which could extend the timeframe to one year. I pointed out that all random drug test during the case had been negative and that father had been screened out for all services after being assessed (DV and substance abuse). Additionally, I pointed out that the in-home safety plan only set forth the Department would conduct home visits – no in home services were being offered. I argued that the father didn't even live in Pahrump with the children, so monitoring longer made zero sense, would only keep the children unnecessarily in limbo and would be of no benefit to the family.

The Court agreed to a straight case closure as requested. The father even had called me on two occasions to thank us for zealously representing him at the hearings. He was very dissatisfied with his Attorney's lack of advocacy. I reminded him that we represent the children, not him. We just happened to be aligned.

Though a seemingly small victory, it was huge for these kiddos! With the father's attorney not arguing against the Department's request to keep the case open and the Court's inclination to require a full 90 days of monitoring before closing the case, we had to fight alone. The children would have languished in foster care at least two months longer – an eternity to children... especially to Karl. They were "home" in California for the holidays.

\* Name changed to protect client's confidentiality

## **Education Advocacy Program Case Highlights**

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### ***Bryan\****

Brian is currently in 7th grade and has a diagnosis of Attention-Deficit/Hyperactivity Disorder (ADHD). Bryan has been in foster care since 2019. This is the second time Brian has been in foster care. Not only has Brian suffered the trauma of multiple removals from his family but in the fall of 2021 the Motion for Termination of Parental Rights was set for initial hearing despite Brian not being in an adoptive home. In his 504 Plan, it states that he has issues with impulse control, which at times cause behavioral issues at school. Brian has a 504 Plan in place to address his educational needs. He was attending a magnet school. However, the school attempted to expel him, without regard to his ADHD and impulse control issues. Our team filed a due process complaint prompted by the school disciplinary proceedings against Brian. During the discipline meeting, Brian's Volunteer Education Advocate (VEA) felt completely blindsided because she had no prior notice school's concerns and discipline. This failure meant the VEA had no time to review all relevant documents prior to the meeting, thereby diminishing her ability to advocate on Brian's behalf. During the meeting, Ilka Fisher (Legal Aid Center

Education Advocate Coordinator) requested that the school add a pressure pass and a behavior plan to his 504 Plan. While the school noted that both measures were already being done, this was not documented in his 504 Plan. Ms. Fisher also brought up the fact that Brian's 504 Plan states that past teachers had reported Brian had difficulty with staying focused and controlling impulses. However, the school team brushed this off and after the meeting, they deleted this sentence from the 504 Plan. Despite our concerns, the school moved ahead with discipline.

Our Education Advocacy Team filed a Due Process Complaint and were able to resolve this issue with the Clark County School District. Brian was awarded 30 hours of compensatory education to address his academics. This is one-on-one tutoring with a licensed teacher, outside of the regular school day. Brian was not sent to a Behavior School and was placed at his zoned school in the STEM Program. The new school will conduct a special education evaluation to see if BC qualifies for additional supportive services which can be provided through an IEP. In a meeting with the new school last week, Brian is excelling, and his 504 plan has been revised to include his impulse control issues, a pressure pass and behavior plan.

\* Name changed to protect client's confidentiality

## **Vegas Strong Resiliency Center Case Highlights**

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### ***Heidi \****

Heidi reached out to the VSRC seeking assistance navigating challenges she faced following Route 91. The Center's attorney counseled Heidi on applicable legal issues and provided follow up resources concerning a family law matter. Heidi was able to make informed decisions to approach her child custody and support issues and make positive steps forward.

Heidi also needed assistance moving out of the state for her mental health and better career opportunities. The Center's advocate helped submit and guarantee approval of VOCP benefits for relocation. However, as the VOCP benefit is only reimbursable Heidi would need to come out of pocket first. Heidi had already borrowed and relied on friends, family, and savings to secure her new lease/security deposit so the Center was able to make use of financial assistance to provide Heidi transportation and lodging on her way to her new home.

Heidi has made the move and is enjoying her new home and strengthened support system. She is now in a better position to be able to focus on healing.

### ***Sergio \****

Sergio was one of three tenants living in a downtown area residence. His landlord was frustrated they had not paid rent and shot all three tenants. Sergio was the only one who survived, despite being shot nine times. The landlord was arrested on scene and is now in custody with a pending criminal case.

Victims of Crime referred him to our agency to assist him in filling out his application for benefits. He was born legally deaf. His facial injuries have limited his ability to communicate even further; therefore, the advocate assisted him over the phone with the use of a video relay service to complete the application and get it submitted. The advocate then reached out to our victim services contact at LVMPD and asked that a Police Verification Form be filled out by the detective to help expedite the approval process of his benefits.

Sergio was approved for victims of crime benefits in a very short amount of time as a result of the Verification Form. The advocate then proceeded to assist him in navigating those resources.

The advocate was able to locate a therapist that knows American Sign Language (ASL) and is trauma informed. The advocate reached out to this therapist to see if she is taking on new clients and if she would be willing to accept the amount of payment VOCP is willing to pay for services. She agreed to taking on Sergio and just accepting his VOCP benefit. The advocate is currently assisting him with getting VOCP to pay his outstanding medical bills, with utilizing his relocation benefits and his other remaining benefits.

Sergio explained to the advocate he was very concerned if he had to be in court, that there would be an ASL interpreter there to assist him. The advocate assisted Sergio in finding out who the victim advocate was assigned to him in the District Attorney's office. The District Attorney advocate was contacted and informed that Sergio requested to be present at any hearing and if he was ever allowed or required to be at a hearing where he could speak, he would need an ASL interpreter. The District Attorney's advocate confirmed he received this information and stated he would update their system. He further stated he would reach out to the prosecutor on the case to let them know of this unique circumstance.

\* Name changed to protect client's confidentiality

## **Pro Bono Project Highlights**

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### **Fourth Quarter 2021 Pro Bono Project Highlights:**

#### **I.      Case Placements:**

During this quarter we placed 107 cases.

- October – 36 cases
- November – 39 cases
- December – 32 cases

#### **II.     Pro Bono CLE Seminars:**

- October 5 – Coffee with CAP (0 credits)

- October 8 - It's Not Me, It's Them: Blindspot Bias in Juvenile Justice & Family Court (2 credits)
- October 20 – Guardianship CLE (1 credit)
- October 22 – Intro to Representing Children in Abuse/Neglect Cases (2 credits)
- October 27 – Ethics CLE PB (1E credit)
- October 28 – Representing High-Risk Victims/Survivors in Family Court (1.5 credits)
- November 2 – Coffee with CAP: TPR Trials (1 credit)
- November 5 - Basics of Special Immigrant Juvenile Cases (2 credits)
- November 18 – Representing children in minor guardianship (1 credit)
- November 19 – Intro to Representing Children in Abuse/Neglect Cases (2 credits)
- December 3 - Intro to Representing Children in Abuse/Neglect Cases (2 credits)
- December 7 – Coffee with CAP: Adoptions (1 credit)
- December 14 – Nevada Adoption Law Briefing (1 credit)

**III. Volunteer of the Month Recipients:**

- October – Rochelle Harding Roed of Greenman, Goldberg, Raby & Martinez
- November – Bruce Woodbury of Jolley Urga Woodbury Holthus & Rose
- December – James Claflin of Claflin Law Ltd.

**IV. Additional Events:**

- October 5 – Access to Justice Commission Orientation
- October 8 – CCBA Community Service Committee Meeting
- October 13 – TIP PB Presentation
- October 16 – NBA Scholarship GALA
- October 19 – Civil Bench Bar
- October 21 - New Attorney Swearing In Ceremony
- October 26 - Christiansen Trial Lawyers visit/open house
- October 28 – CCLF Liberty Bell Award Ceremony
- November 4 – Meet Your Judges Mixer
- November 5 – CCBA Community Service Committee Meeting
- November 9 – Appellate Pro Bono Meeting
- November 13 – LV Rescue Mission Outreach
- November 15 – Community Introduction Lunch
- November 17 – Civil Bench Bar
- December 1 – SNAWA Gala
- December 2 – CCBA 40 Year Club Luncheon
- December 2 – CCBA Holiday Mixer
- December 3 – CCBA Community Service Committee Meeting
- December 3 – Latino Bar Association Holiday Mixer
- December 9 – CCBA New Lawyers Committee Meeting

- December 10 – Pro Bono Awards Luncheon
- December 14 – Civil Bench Bar Meeting
- December 16 – Access to Justice Commission State Bar Planning meeting

## All Projects Statistics

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Consumer Rights Project 2021	
Consultations 2021	23,113
New cases accepted 2021	931
Total cases worked on by attorneys (includes previous years cases)	1,336
<b>Total annual clients served</b>	<b>24,449</b>

Adult Guardianship Advocacy Program 2021	
Consultations 2021	28
New cases accepted 2021	863
Total cases worked on by attorneys (includes previous years cases)	2,566
<b>Total annual clients served</b>	<b>2,594</b>

Minor Guardianship Advocacy Program 2021	
Consultations 2021	11
New cases accepted 2021	641
Total cases worked on by attorneys (includes previous years cases)	865
<b>Total annual clients served</b>	<b>876</b>

Family Justice Project 2021	
Consultations 2021	5,771
New cases accepted 2021	453
Total cases worked on by attorneys (includes previous years cases)	631
<b>Total annual clients served</b>	<b>6,402</b>

<b>Immigration 2021</b>	
Consultations 2021	2,176
New cases accepted 2021	524
Total cases worked on by attorneys (includes previous years cases)	1,293
<b>Total annual clients served</b>	<b>3,469</b>

<b>Children's Attorneys Project 2021</b>	
New kids accepted 2021	1,833
Total kids represented by attorneys (includes previous years cases)	4,862
CAP & Pro Bono Adoptions	67
CAP Appeals	7
<b>Staff total annual clients served</b>	<b>4,936</b>
<b>Pro Bono CAP 2021</b>	
New kids accepted 2021	346
Total kids represented by pro bono attorneys (includes previous years cases)	1,355
<b>Pro Bono total annual clients served</b>	<b>1,355</b>
<b>Total kids represented 2021</b>	<b>6,291</b>

<b>Education Advocacy Program 2021</b>	
New kids accepted 2021	114
Total kids represented by attorneys (includes previous years cases)	225

<b>Volunteer Education Advocacy Program 2021</b>	
New kids accepted 2021	58
Total kids represented by attorneys (includes previous years cases)	215

Civil Law Self-Help Center Quarterly Statistics					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	TOTAL
Number of clients served	9,396	13,732	13,313	13,467	49,905

Family Law Self-Help Center and TPO Quarterly Statistics					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	TOTAL
Number of clients served	19,347	18,687	19,838	18,363	76,295

Vegas Strong Resiliency Center					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	TOTAL
Number of clients served	2,169	1,090	1,336	2,125	6,720

Community Legal Education Program Attendance Statistics					
CLASS	JAN. - MAR.	APR. - JUNE	JULY - SEPT.	OCT. - DEC.	TOTAL FOR YEAR
Divorce	71	59	43	26	199
Paternity/Custody	28	59	51	37	175
Guardianship	40	29	28	18	115
Spanish Family Law	4	30	32	8	74
Bankruptcy	24	14	37	38	113
Spanish Bankruptcy	0	0	1	2	3
Small Claims	30	27	31	28	116
Collection Proof	21	35	23	11	90
Family Law Litigation & Trial Prep	54	36	43	39	172
Immigration English	20	6	11	13	50
Immigration Spanish	4	7	7	2	20
<b>TOTALS</b>	<b>296</b>	<b>302</b>	<b>307</b>	<b>222</b>	<b>1127</b>

Pro Bono Project Case Statistics by Quarter					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct-Dec)	TOTAL
Number of cases placed	185	116	116	107	524
Number of unique attorneys who accepted a new case	157	104	97	94	
Number of cases closed	195	109	110	238	652

Ask-A-Lawyer Pro Bono Project Quarterly Statistics (All Programs Combined)					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct - Dec)	TOTAL
<b>Total Clients Served</b>	1023	1120	1074	989	<b>4206</b>
<b>Total Events Held</b>	70	65	64	53	<b>252</b>
<b>Total Unique Attorney Volunteers</b>	91	119	111	123	<b>444</b>
<b>Total Volunteer Hours</b>	588	553.8	525	456.7	<b>2,123.5</b>



Date: March 10, 2022

To: Members of the Access to Justice Commission

From: Southern Nevada Senior Law Program

Re: Access to Justice – Updates

- Senior Law Program is seeking a law firm or an attorney group (CCBA, SNAWA, etc.) who could commit six or seven attorneys to be available for three hours of pro bono, to sponsor our third Senior Advocates Pro Bono “Senior Sign-a-Thon” in May 2022, which coincides with Older Americans Month. After two successful Sign a Thons in 2021, which engaged 21 pro bono attorneys and expedited documents for 60 clients, we continue to refine the best process for our clients, our volunteer attorneys, and our staff. A future goal is to add a dedicated staff member to enable us to realize the potential of our pro bono program.
- SNSLP is establishing a partnership with the UNLV School of Social Work to be able to have practicum students assigned to our program to provide additional capacity, without additional expense. The BSW or MSW candidates will assist us with connecting our senior clients to community resources for social services to complement the legal assistance they receive from our attorneys. The practicum student ideally will also assist us in the role of Communications Coordination with other senior services providers and potentially support our Senior Advocates Pro Bono Program outreach.
- Eviction matters update: Our attorneys continue to see high demand from seniors for legal assistance with eviction problems. In the fall of last year SNSLP began a concentrated effort to see seniors in person for eviction matters whenever possible. SNSLP has maintained this policy because many seniors do not always grasp the legal significance of the notices they are provided by their landlords and reviewing the notices is of paramount importance. By way of example, there are occasions when seniors come to SNSLP’s office with an eviction notice but believe it is only a warning provided by their landlord. This raises the concern that seniors may lose their rights by not acting timely to respond to the notices merely because they did not understand the notices. On the other end there are seniors that are tremendously afraid of any communication from their landlord and take any correspondence to be an eviction notice. By seeing seniors in person, the hope is to avoid the former scenario and address the latter scenario by providing information to client/tenants so that they may approach their interactions with landlords without fear. The current housing market has also created financial problems for seniors due to both increased rents and associated costs. Our office has noticed that the CHAPS program has helped many individuals through this difficult time by assisting with rental

assistance. However, one area where seniors continue to suffer is the problem of moving costs and down payment costs for new apartments. Because many live on limited monthly income it is difficult for them to save enough for a down payment on a new rental, coupled with increasing rent costs and deposit amounts requested by landlords. Rental deposits and fees alone can be cost prohibitive and thus will prevent a senior from finding new housing. Similarly, for many seniors that are not able to physically move themselves from apartment to new apartment, the costs of hiring a moving company are great. We are always searching for new resources to assist seniors in these areas. Also, we have utilized funding from the CARES ACT through ADSD to engage an Independent Contractor private attorney to supplement our resources in responding to eviction matters since September 2021. This has been successful in supporting our Rapid Response Model, which will be somewhat modified as of mid-March 2022 due to the exhaustion of the current funding.

- Staffing updates – SNSLP is currently recruiting for two Intake Specialists to replace previous staff. It is challenging to compete for qualified individuals due to the increasing compensation levels being offered in the private sector for this type of position.
- Community Outreach Initiatives November – February: SNSLP continues to collaborate with Three Square's Golden Groceries and Helping Hands of Vegas Valley among other nonprofits that focus on serving vulnerable seniors. SNSLP staffed the Fall 2021 Homeless Connect event, and have made presentations to Nevada's Tribal Communities Council, Doolittle Senior Center, Cora Coleman Senior Center, Downtown Henderson Senior Center, Martin Luther King Jr. Senior Center, and NyE Communities Coalition (serving Nye, Lincoln, and Esmeralda counties).
- A major transition is in process - upgrading our case management system to LegalServer, which is an eight-month, intensive undertaking with significant benefits and efficiencies expected. Through ADSD ARPA funding, we were able to purchase this system designed for Legal Aid organizations that will be conducive to easier data input and easier data extraction. The report features will help us identify our clients' greatest needs and ensure that our operation is responsive to the vulnerable seniors we serve.
- Success Stories:
  - John C. is a 61-year-old disabled senior who was desperately in need of legal assistance after being wrongfully discharged from the nursing home in which he resided. John was a referral in January 2022 from ADSD to SNSLP and we worked closely with John's caseworker from the Long-term Care Ombudsman's office to return him to the place he considered home. John was removed from the nursing home late one night by way of a 72-hour hold or "Legal 2000" after a disagreement with a nursing assistant. Despite John's pleas to the nursing supervisor, he was told he was being "Legal 2000-ed" and to grab a few personal items as he would not be allowed back. John's Notice of Discharge from the nursing home was mailed to the psychiatric hospital where he was taken the night of the Legal 2000. Once we received notice of John's plight, our staff attorney Lorrie H. began the process and research needed to return John to the nursing home per his wishes. Both Lorrie H. and senior staff attorney, Chelsea C., visited with John at the psychiatric hospital and gathered information needed to pursue the goal of returning John home. We drafted a
- Success Stories (continued):

demand letter to the nursing home informing them that they had failed to show evidence that John was a danger to himself or others, which was the basis for their discharge of him. We further informed them that we would pursue an Appeal with the Department of Administration and any other appropriate court action to return John to his home. The director of the nursing home agreed to meet with us, and at that meeting Lorrie's strong advocacy of our client's rights persuaded the nursing home to accept John back. John was able to return to his home after almost a month of extreme distress in the psych hospital.

SNSLP greatly appreciates the invaluable assistance of the Ombudsman's office, and at the same time believes the nursing home would not have readmitted John without the support and commitment of our attorneys, who demonstrated that we will go the distance to enforce our client's rights under state and federal law.

- SNSLP attorney Carol K. helped Jill, a 78-year-old widow, respond to the discovery of unauthorized transactions that indicated her son, James, had been plundering her life savings. Jill executed a Financial POA several years ago when her husband died, which James prepared, appointing himself Agent. When Jill recently checked her account balances in preparation of moving into assisted living due to her declining health, she was shocked to find only a \$500 balance. This caused great distress and she was given an expedited appointment due to the urgency of the problem. James had recently moved to North Carolina and refused to provide his address; Jill only had a phone number. SNSLP quickly prepared a Revocation of all outstanding Powers of Attorney. At the same time, she called her son from the SNSLP office of Carol K. on speakerphone to state that all POAs were revoked, with Carol and another witness present for the verbal notification. Jill then had Carol update her estate planning to eliminate her son from any inheritance. Carol advised the client to contact her bank and investment company, along with the credit reporting agencies, to flag her accounts. Jill expressed her deep appreciation for the prompt action of SNSLP in preventing further exploitation.



A 501(c)(3) non-profit organization.

## **2021 Year End Service Data**

### **Totals**

Total Clients/Legal Matters	8,823
Child Ad	1,597
Adult Guardianship	1,269
Immigration	387
Victim Advocacy	174
Consumer & Housing (includes MLP C&H)	1,303
Self-Help	2,286
Other	1,807

### **Outcome/Closed Reason**

A – Advice & Counsel	790
B – Limited Action/Brief Service	2,459
Client Withdrew, Lost Contact	201
Conflict – Unable to Assist	8
Court Decision	200
Deselected or Rejected (Not Eligible)	1
F – Negotiated Settlement without Litigation	38
G – Negotiated Settlement with Litigation	21
H – Administrative Decision	67
IA – Uncontested Court Decision	592
Insufficient Merit to Proceed	46
K - Other	17
Referral or Information Only	1,698
Other	1
Open Cases	2,684

## **Practice Area Summary**

### **Housing & Consumer Protection**

In 2021, prior to the moratorium expiring, we spent most of our time enforcing and educating our clients regarding various eviction moratoriums and mediation programs and helping clients whose landlords are seeking eviction as a pretext for nonpayment of rent. After the expiration of the moratorium, we saw a significant uptick in eviction cases for non-payment. We continued to assist our clients with mediation programs and enforcing their rights under AB486.

WLS has worked with the Reno Justice Court and Sparks Justice Court to update their notices and unlawful detainees to reflect the required AB 486 language. WLS also took on a role as a community partner on Washoe County's Rental Assistance Program (separate from the CHAPS program), through which WLS staff assist clients in applying for assistance. Rental assistance applications directly through the Washoe County Rental Assistance Program have been moving quickly, which helps both tenants and landlords. When possible, the program pays three months of future rent for the tenant, thus giving the tenant time to locate alternative housing and/or save for future rent payments.

In 2021, we served 897 clients on housing and foreclosure related issues, which included 583 in private landlord/tenant disputes. As for non-housing consumer and finance related issues, in 2021, we served 406 clients, including 30 collections/repossession/deferment/garnishment matters, 16 contract disputes, 18 unemployment claim issues, and 15 Medicaid or Medicare related legal issues, among others.

### *Case Highlights*

- WLS represented three college students renting a 76-year old house. There were four backups in plumbing that have caused serious flooding. The landlord tried to evict for nuisance and breach of the lease. WLS was able to argue that as per statute, there are significant issues of fact in dispute (and the tenants have a defense to the eviction) requiring dismissal of the summary proceeding and requiring the landlord to file a formal eviction. Following dismissal without prejudice WLS was able to negotiate a hold harmless for the tenants to move out and break their lease (without a penalty).
- WLS represented a tenant in a no cause eviction. Landlord challenged the tenant's right to utilize a CDC Tenant's Declaration claiming that the tenant was gainfully employed and was not really seeking governmental assistance. WLS demonstrated that Tenant used reasonable efforts to apply for assistance (although denied) and additionally was no longer employed. Eviction was dismissed.
- WLS had a client who was working at the motel where she also lived. She was served with a No Cause eviction. When interviewing her, she told her WLS attorney that she was fired from her job because she had gotten COVID. She said that a family friend was interpreting for her when she was told that she was fired. We talked to that family friend and got her to sign a written statement, confirming that the client was being fired for having COVID. Because client got the eviction notice a day before she was fired, and because client had gotten COVID a few days before that, the WLS attorney argued that

client was being evicted because she had COVID also. We also argued that even though the client had not been behind on rent, she had lost her job as a result of the pandemic, and, because she also applied for rental assistance and gave the landlord a tenant declaration, she was a covered tenant under the eviction moratorium. The judge accepted the arguments that she was covered by the eviction moratorium, and that she was being evicted for having COVID and dismissed the eviction.

- Client was locked out due to his alleged untimely filing of his tenant's affidavit. Client claimed that process server lied on the date that was reflected on her affidavit of service. WLS filed a motion to stay and was granted a hearing. Prior to the hearing, WLS was able to negotiate with landlord and tenant was able to return to residence for three weeks to allow him time to get his property and make arrangements to move out (client was planning to move anyway but needed some additional time). WLS drafted a stipulation which included a provision that the eviction would be sealed.
- Client and his partner moved into a vacant house 18 months prior to contacting WLS. Client negotiated with trust administrator (owner of house was deceased) that in lieu of paying rent, they would occupy and rehab the property (which included landscaping, doors, windows, floors etc.). Client was served with an eviction notice attempting to remove them as tenants-at-will. There was room to argue that they were not tenants at will even though they never paid rent. WLS contacted the attorney for the probated estate and negotiated a settlement such that clients would have a month to move out and that after house closed escrow they would be paid \$2,000 in settlement of all claims.
- Client was served another eviction notice (this one as a no cause notice). Landlord knew that client has rental assistance money pending and had given the landlord a CDC Declaration. Client had been served previous notices (pay or quit) in the name of her ex-boyfriend (even though the landlord had actual knowledge that he did not reside there any longer). Eviction was denied with a warning to landlord that he should review the current law and that if they return to court he will consider WLS' prayer for attorney's fees.
- WLS helped prevent a single mother of three children from being evicted. She was served a 7 Day Notice to Pay Rent or Quit and, subsequently, a 5 Day Unlawful Detainer notice that derived from a 5 Day Notice to Cure Lease Violation or Quit. The 5 Day Notice to Cure Lease Violation or Quit was based on a separate lease addendum that Tenant signed where she entered into a repayment plan that she could not afford. She entered into that repayment plan because she thought she would have her CHAP funding by the time the first payment was due. WLS drafted both tenant affidavits for her responding to each notice she received and stated her defenses. The landlord chose not to file its affidavit and Tenant was able to secure CHAP funding and did not get evicted.
- Tenant was living with her boyfriend who was arrested for domestic violence with strangulation. Landlord attempted to evict them both. Court held client cannot be evicted since she was a victim of a crime.
- WLS represented mentally ill client who was being evicted for continuing and ongoing nuisance. Court recognized that client is protected as a disabled person and that the landlord must demonstrate reasonable accommodation. Judge also agreed to informally appoint guardian ad litem, thereby allowing the guardian ad litem and WLS Staff Attorney to work together to find placement for client for treatment and comprehensive wraparound services.

- Client, 30 years old and on a fixed income, has early onset dementia and Parkinson's. Client is on a fixed income and receives social security disability. Client's father passed away in February. Client used his social security disability money in order to attend the funeral in Las Vegas. As a result of spending his income on traveling, client did not have enough money to pay his rent. Client was served a 7 Day Pay Rent or Quit Notice. WLS helped client apply for CHAP and drafted and filed his tenant affidavit. CHAP paid his back rent, allowing client to get caught up and avoid eviction.
- Client was having difficulty finding a place to live as potential landlords were denying housing based on an eviction on his public record. A case summary search was done for the client. Client stated that the evictions could not have been his as he was incarcerated during those times. Client did not co-sign for anyone nor did he sign a lease. Client was then asked if he uses a middle name and/or initial when signing legal documents, etc., to which he said he did. WLS performed another case search using his middle initial. There were no evictions nor collections listed. WLS encouraged client to use his middle when filing an application going forward. Client was very grateful for being treated with respect and given assistance and advice.
- Client was served a Notice to Pay Rent or Quit and did not think he had to file a Tenant's Affidavit as he had rental assistance pending. Client was locked out and filed a Motion to set aside the lockout. WLS represented client at hearing on the motion to set aside. At hearing, WLS was able to prove that client had rental assistance pending and the landlord was not cooperating with completing its part of application (which is a violation of AB 486). The Court set aside the eviction and ordered a second hearing only on the issue of damages. Also, Court informed property manager that he was under a court order to produce the owner of the premises at the damages hearing.
- Client was served an eviction notice for non-payment of rent. WLS appeared in the case and argued that the Notice to Pay Rent or Quit did not contain the statutory language as required by AB 486. WLS pointed out to the Court that this language is contained on its own form readily available to landlord on the Reno Justice Court's website. The Court dismissed the eviction without prejudice, finding that the notice to Client was defective.

## **Child Advocacy**

WLS is the only organization providing representation to children who are in the custody of social services under 432b in Washoe County. We also continued serve children in 432b matters in five rural counties. In 2021, we represented 1,366 children in 432b proceedings and 34 in continuing jurisdiction cases upon reaching adulthood, as well as assisted in 26 adoptions and 20 parental rights termination matters. In 2021, the team continued find creative ways to meet with clients. With the state reopening slowly throughout the year, we saw an increase in face-to-face meetings with our clients, which is invaluable to our representation of them.

## *Case Highlights*

- The clients are five young children who are all full biological siblings. The youngest sibling was born after the older four had already been placed outside of the home. The current relative placement did not have space for the youngest sibling, and so the siblings were separated. The Child Advocacy Attorney fought to ensure sibling visitation was

occurring once the youngest was placed in care. Further, the Child Advocacy Attorney filed a Motion for Sibling Visitation Order to ensure regardless of the permanency plan, the sibling bonds would be protected. The Child Welfare Agency is against such an order, which is why a motion was required. The matter is currently pending.

- Two young girls, ages 4 and 2 were removed from their parents for domestic violence and an unsafe home. They were placed with their maternal grandmother where they were doing well. Without notice and after hours the children were removed from their grandmother's care because it had been determined that she was not able to be licensed as a foster parent. Washoe County Human Services Agency (WCHSA) refused to provide any information as to the reason for the removal, claiming confidentiality. At the same time, the grandmother and mother were expressing concerns because they were unable to reach the assigned case worker to begin the reunification process and to obtain necessary supports for the girls in grandmother's care. After removal from their grandmother the girls were placed with strangers, who also unfortunately do not speak the girls' language. IN addition, mother and grandmother had concerns about the care of the girls in their foster placement. Although WCHSA promised to work on in home safety planning for the girls, they later claimed they could not do so because the mother and grandmother had been too "aggressive" in their communications with the agency and the foster placement. Again however, WCHSA failed to provide any specifics or explanation of how this "aggression" prevented the safe placement of the girls back in the care of their mother on a safety plan. IN the meantime, they failed to meet with the mother to have a case plan meeting and to work towards an in-home safety plan, as promised. WLS drafted an emergency motion to have the girls placed with their mother on a safety plan and to make a determination that WCHSA had failed to exercise the requisite "reasonable efforts" necessary to reunify the family. Counsel for mother and likely father intend to join in the motion.
- Client is 16 years old, and has been in foster care for 3 years. The client suffers from emotional and mental health issues. The client attributes these struggles to being in the foster care system and desperately wanting to reunify with his mother. Prior to the 36-month Permanency Hearing, Washoe County Human Services Agency filed a report with the court recommending the permanency plan of Another Planned Permanent Living Arrangement (APPLA), effectively that the child would be aging out of foster care. Before the court can approve a plan of APPLA, the court must find (pursuant to federal law) that the Agency has exhausted all efforts in achieving the other permanency plans (reunification, guardianship, and adoption), and inquire as to the child's desires.

When the child advocacy attorney met with the client to review the court report, the client reiterated his desire to reunify with his mother. He could not identify any barriers to reunifying and wanted the Agency to provide ongoing reunification services and supports. The mother resides in Clark County and is having consistent and meaningful visitation via telephone and video chats, and mom participates in monthly child and family team meetings. The client didn't think these types of visits alone were sufficient to work toward reunification. The child requested consistent and frequent in-person visitation and family therapy, and wanted to be sure that mom was invited to attend and participate in (either in person or virtually) any of the child's medical, dental, psychiatric, or other appointments.

The Agency expressed concerns regarding mom's progress regarding her case plan and consistency with contact with the Agency. The child advocacy attorney emailed the child's concerns and desires to the District Attorney, and the District Attorney agreed to staff the case with the assigned case worker. After staffing the case with the worker, the Agency agreed to change its recommendation from APPLA to reunification with mom. During the court hearing, it became clear that mom was not aware of what additional steps she needed to take in order to progress toward reunification. The court master ordered that a meeting take place to ensure that all parties were on the same page regarding what tasks and goals mom has left to complete on the path toward reunification. The court also approved the permanency plan of reunification based on the child's desires.

## **Domestic Violence**

WLS provides legal aid services to victims of crime and domestic or sexual violence, regardless of immigration status. In 2021, WLS served clients in 70 protective order cases, 45 custody/visitation matters, 30 divorces without children, and 27 divorces with children. WLS continued to provide weekly clinics, in both English and Spanish, to assist multiple victims who have attempted to begin the TPO and/or custody and divorce process alone. Due to the pandemic, these clinics were provided virtually until Nevada's shutdown order lifted, at which time they were offered both in person and via Zoom.

### *Case Highlights*

- Client was battered by boyfriend and strangled. He was arrested. WLS obtained a 2-year extended protective order with no visitation, and filed custody case on client's behalf.
- Client was battered by spouse, who was arrested. Spouse has prior child endangerment conviction, so this arrest violated his sentencing terms and he is subject to revocation. Spouse has retained private criminal defense and private divorce counsel at the same firm who were bullying client (as they did during child endangerment proceedings) to dissuade her from aggressive prosecution and divorce. WLS is now the buffer for client to prevent that bullying, extended the temporary protective order to allow time for no contact order in divorce case, obtained child support, and spouse has no contact w/our client or children pending resolution of his criminal matters and therapeutic intervention.
- Returning client, short term marriage to abusive/addicted spouse. Obtained 1-year extended protective order, and spouse retained counsel and filed for divorce. WLS assisting client in finalizing divorce on favorable terms including being able to stay in current residence long enough to find suitable alternative housing for herself and her children.

## **Immigration**

WLS' immigration specialists provide legal advice and representation to victims of crime and/or people over the age of 60 who qualify for grant-funded immigration benefits, as well as fee-for-service clients. In 2021, WLS assisted in 369 immigration matters.

WLS' immigration unit continues to foster its strong working relationships with Reno and Sparks Police Departments, and the Washoe County Sheriff's Office, and has a longer-term goal to do more work with rural district attorneys and police departments. In 2021, WLS also partnered with the Mexican Consulate to provide legal services to Mexican nationals. We are in regular contact with both Senator Cortez Masto and Senator Rosen's offices regarding immigration matters. Even though non-citizens cannot vote, they are counted in the census for representation matters, and both Senators are diligent in representing undocumented individuals as their constituents. Occasionally (but not often) WLS gets referrals from their offices, and work to help them.

### *Case Highlights*

- Although the client is relatively new to Washoe Legal Services, he was previously a victim of crime - Obstruction of Justice, in which an acquaintance of the attackers in his assault, tipped off the attackers, to avoid having them get caught. Client was helpful in the investigation with Sparks Police Department and had previously applied for a U visa as a victim of this crime. Although he had this pending immigration application prior to coming to Washoe Legal Services, he recently became the victim of domestic abuse committed by his wife, who was also helping him obtain lawful immigration status through alternative means, in addition to the pending U Visa. Nonetheless, given the deterioration of his relationship with his abusive spouse, he came to us seeking assistance as he was concerned about his immigration cases and ultimately could no longer be represented by his previous counsel due to the inherent conflict of interest that the domestic violence situation between citizen petitioner and immigration beneficiary. In reviewing his case, while his U visa remains pending, given the domestic violence, he also qualifies for immigration protections under the Violence Against Women Act (VAWA). Given the severe administrative and processing delays in obtaining permanent resident status from a U visa application, for those eligible, VAWA remains the preferred benefit. With our help he will have another route to becoming a permanent resident and ultimately will save about 4-5 years in his quest to become a lawful permanent resident of the United States.
- Clients are both child survivors of homicide victims. Their parents were both killed by gangs in Mexico and as such they were left orphaned. Aunt helped to bring them into the United States in order to protect and has since received a guardianship over them. Clients were "paroled" into the United States and placed into removal proceedings to have their immigration case decided by a judge. We are attempting to coordinate adoption which meets the burden to satisfy the Hague Convention components of immigration, and eventually we will be able to help the aunt legally immigrate her biological niece and nephew.
- Client is a victim of human trafficking, when he was subjected to involuntary servitude like conditions by his distant cousin, to whom he was released by the U.S. Dept of Health and Human Services as an Unaccompanied Alien Child/Minor. Client was originally apprehended at the border and placed into removal proceedings under DOJ's Executive Office for Immigration Review, where the government is actively trying to deport him. We took on the case at the very beginning of COVID-19, only months before he was about to turn age 18 and perhaps have jurisdictional issues regarding the filing of his

immigration benefits. We helped him file for both asylum as a minor, and a T-visa, as a victim of trafficking.

While the T-visa was filed under his 18th birthday, due to USPS delays, the application for asylum did not arrive timely, and he was not guaranteed jurisdiction with USCIS instead of the Immigration Court. Although he is a victim of trafficking, only USCIS has jurisdiction over the T-visa applications, and although the judge may be aware of the application, he/she is not obligated to continue proceedings to await the outcome, and may deport client before the decision on the application. Recently we received a scheduling order from the Chief Immigration Judge of the Las Vegas Immigration Court, asking for written pleadings and any/all applications to be filed so that the court may proceed with scheduling him an individual hearing to attempt to have him argue his removal. With very little notice, we responded to the scheduling order, filing pleadings, and included both a motion to move to the status docket, and a motion to vest asylum jurisdiction with USCIS -which would obligate the court to await any removal hearing while his cases are pending with USCIS.

Although it seemed like we had little chance of success, ultimately the judge agreed with the facts of both motions, and without even giving the ICE attorneys the opportunity to respond to our filing, vested asylum jurisdiction with USCIS, giving our client the protections afforded to minors, even though he is now over 18. While the asylum claim is weak, if it does come up for an interview, it will be in an administrative setting versus an adversarial one. More importantly, however, given the extreme delays in asylum adjudication, it is hopeful that his case will be pending long enough, that in the meanwhile we will receive an approval on the applicant's T-visa, so that he may remain here in the United States, avoid deportation, and hopefully, bring his family members to the U.S. to accompany him.

## **Guardianship**

In 2021, we served 1,419 guardianship clients, including 1,268 adult guardianship/conservatorship and 151 minor guardianship/conservatorship matters.

The courts in Carson City, Douglas and Lyon Counties have returned to in-person court hearings, at least for the attorneys in our office. Clients are still permitted to appear by Zoom if their circumstances make that safer. Washoe County is still conducting hearings via Zoom. With the abatement of the pandemic restrictions, we have resumed in-person client contact, as well. Our case load in Washoe County has continued to increase as the Court strives to see all of the 800 or so existing clients at least once every three years. Special dockets and senior judges have been utilized to accomplish this.

One amazing thing all of us would agree on is the valuable interactions we have with our clients. Many of our clients pursue activities that require strength of will and perseverance such as Special Olympics or employment. These folks enriched the lives of all of us and it is a privilege to serve as an advocate and voice for them in a complex and intrusive process like guardianship.

## *Case Highlights*

- Client is a 72 year old from Carson City who wants to leave her husband and move to Oklahoma with her son and extended family. The husband filed for guardianship in Carson City and, before Washoe Legal Services was appointed, obtained a temporary guardianship. At the client's direction, Washoe Legal attorneys filed a competing petition to appoint an independent private guardian. After a three hour, five witness hearing, the court appointed the private guardian and approved her residence in Oklahoma.
- This client, who has intellectual disability, wanted to terminate his guardianship, therefore WLS connected him to a neuropsychologist to provide an updated capacity evaluation. Because his guardian has relied on an internal medicine specialist to corroborate the continuing need for a guardianship, the new, specialized evaluation, if favorable, should convince the guardian to agree to termination. Later, at a hearing, guardianship was terminated over this client's estate because it was not necessary; his parents are already representative payees for client's social security benefits. His mom filed for guardianship but after meeting with client and discussion with mom, she decided to dismiss her guardianship petition and use the Disabled Adult's Medical Power of Attorney instead.
- Client has a very stable family relationship, only mild intellectual disability, and a long-term guardianship, therefore it was appropriate to work with the client and his family to look at substituting power of attorney in the place of his legal case. WLS was able to get the client's guardianship terminated upon the filing of the disabled adult's medical power of attorney.
- WLS obtained medical evidence supporting a reduction in client's guardianship. WLS obtained a stipulation that terminated guardianship over the client's person and limits the guardianship over the estate to protecting the client's annuity. The client will begin paying all his bills other than his rent and utilities.
- WLS was able to terminate guardianship for twin clients, both of whom live at home with their parents. WLS facilitated evaluations for both for the limited purpose of determining whether they had capacity to sign Powers of Attorney in favor of their mother, which eliminated the need for a guardianship going forward. Once the evaluations confirmed that they had the capacity to sign, WLS prepared and had them sign the necessary documents and the Guardianships were terminated at a subsequent Court hearing.
- In a case in Lyon County, WLS was able to effectively advocate for our client to have her remain in her home, even though she was under a guardianship. Family arguments among her children had made her ability to remain in the home doubtful. WLS blocked an unfit son from becoming guardian and advocated for the Public Guardian, who has worked very well with the client to have her live safely in her home and enjoy as much freedom as is consistent with her safety.
- WLS was involved in nine cases in the last quarter of 2021 that resulted in guardians who were stealing our clients' funds being removed, thereby protecting our clients' assets and ensuring their ability to live the best life they can.

## **Pro Bono and Self-Help**

The primary focus of the pro bono work is the recruitment, training, and mentoring of attorneys to represent clients who come to WLS seeking legal assistance. In 2021, we placed 53 new cases with pro bono attorneys, had 27 active pro bono attorneys who qualified to receive CLE credit, we served 29 CLE credits, and our pro bono partner attorneys provided a total of 217.6 reported hours. The types of cases that we placed with our pro bono attorney partners included CAP (dependency), minor guardianship, guardian ad litem, refugee adjustment of status, record sealing, federal prisoner civil rights, probate, elder abuse, custody, divorce and child support, private termination of parental rights, private adoption, senior eviction, employment, bankruptcy, foreclosure mediation, and minor property disputes.

The Self-Help Center staff assist individuals with completing and filing the forms necessary to represent themselves in court as well as assists them in understanding the legal system. WLS also provides self-help assistance to inmates at the Washoe County jail. In 2021, we provided assistance to 2,286 individuals between our self-help center at our main office and through the jail. In 2021, we served 757 individuals on family law related matters, including 311 custody and visitation disputes, 231 divorce/separation/annulment matters, 76 divorce cases with custody disputes, 17 name changes, and eight paternity actions. WLS also assisted in 57 adult guardianships and 71 minor guardianship matters, 21 torts matters, 225 advanced directives/powers of attorney, and 50 earned income tax credit issues.

## **Community Partnerships and Outreach**

WLS continued its various community partnerships, which lead to case referrals to its various programs. On such partnership is the Center for Seniors and the Law (Senior Legal Center), located at the Washoe County Senior Center. WLS has attorneys and staff onsite at the Washoe County Senior Center. Through this partnership, WLS provided legal assistance and advice, education, referrals and representation to seniors over 60 in the following areas: consumer protection, elder abuse, powers of attorney, disability law, nursing home issues, landlord/tenant disputes, foreclosures, public benefits, advanced directive/powers of attorney, unemployment compensation, and employment discrimination, among others.

WLS also continued its Medical Legal Partnership (MLP), addressing the social determinants of health through the integration of free legal services in the healthcare setting. WLS has an attorney on site at Northern Nevada HOPES. Legal referrals are made to WLS by Northern Nevada HOPES or other community health partners.

WLS also continued its Collaborative Agreement with Safe Embrace, under which the two agencies work collaboratively with one another to assist with services on cases with mutual clients to ensure the resources are maximized to the fullest. Throughout 2021, WLS had a Safe Embrace employee on site at WLS's main office to aid in this collaboration.

Below is a summary of the outreach events in which WLS participated in 2021:

- Child Abuse Prevention Kickoff - State Legislature - 4/2/21

- International Denim Day - Event @ State Legislature - 4/27/21
- Child Abuse Prevention Month - April 2021 - Month long, city-wide, awareness campaign
- Older American's Month - May 2021 - Month long social media campaign
- Crossroads Ask-A-Lawyer Event - 5/13/21
- Juneteenth - 6/19/21
- Covid Vaccine Clinic #1 - 6/23/21
- Catholic Charities Housing Outreach - 7/8/21
- Housing/Immigration CLE - 7/21/21
- Northern Nevada Pride - 7/24/21
- Power Act CLE - 8/12/21
- Suicide Prevention Month - September 2021 - Social Media Campaign
- Pro Bono Week Law Fair #1 - 10/23/21
- DV Community Resource Fair - 10/27/21
- Pro Bono Week Law Fair #2 - 10/27/21
- Salvation Army Trunk or Treat - 10/29/21
- Northern Nevada Food Bank Holiday Food Drive - 11/16/21
- Safe Embrace Angel Tree - 12/20/21



## **Family Law Self-Help Center Accomplishments 2021**

### **Reopened to In-Person Services under a New Hybrid Service Model**

After being closed to in-person services for over a year due to Covid-19, the Self-Help Center physically reopened in April 2021.

The center reopened with multiple safety protocols in place such as the addition of plexiglass, mandated masks for staff and customers, and reduced capacity to allow for social distancing. An appointment system was also introduced that allows customers to schedule 15 minute appointments in advance, saving them time at the courthouse.

Although in-person services quickly regained popularity, staff continued to offer remote services under our new hybrid service model. Staff are still available to assist customers by phone, email, online chat, and mail. As the following numbers demonstrate, our customers are taking advantage of every available avenue to access self-help staff.

	<b>2021</b>	<b>2020</b>	<b>2019</b>
In-Person	25,212	13,956	62,587
Telephone	31,786	50,077	0
Email	3,978	7,129	1,573
Online Chat	15,054	4,223	0
Mail	265	295	360
<b>Total</b>	<b>76,295</b>	<b>75,680</b>	<b>64,520</b>

Included in the numbers above are 8,117 people who sought assistance for a domestic violence protection order issue. Overall, staff assisted in processing 2,926 domestic violence protection order applications on behalf of domestic violence victims.

Even more people accessed our resources online through the [www.familylawselfhelpcenter.org](http://www.familylawselfhelpcenter.org) website. In 2021, a record of 1,263,762 people accessed the website and visited 3,954,242 pages of legal information, a 6.5% increase over the prior year.

### **Released Updated Tyler Guide and File for Domestic Violence Protection Orders**

Nevada released new mandatory protection order forms in 2020, requiring an overhaul of the guided domestic violence protection order interview. The interview was rebuilt and re-released in 2021, with the added feature of allowing a user to directly e-file the completed forms with the court at the

conclusion of the interview. This is the first family law guided interview that allows a direct e-file component.

This interview, along with all other Clark County interviews, is located at <https://nevada.tylerhost.net/SRL/srl/>. A total of 5,958 family law interviews (across all family law interview types) were completed in 2021.

#### **Created a Library of Discovery Forms**

In response to increasing requests for discovery forms from self-represented litigants, the center created and released an entire library of discovery forms for use in family court.

SRLs can now access free forms that allow them to request or respond to a variety of discovery matters, including interrogatories, requests for admission, and requests for production. A variety of subpoenas are also available.



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## ***Washoe County Law Library***

*Second Judicial District Court  
75 Court Street, Room 101  
Reno, NV 89501  
(775) 328-3250  
[LawLibrary@washoecourts.us](mailto:LawLibrary@washoecourts.us)  
[www.washoecourts.com/LawLibrary](http://www.washoecourts.com/LawLibrary)*

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### **Current Status**

The Washoe County Law Library, located inside the Second Judicial District Court, is open to the public. The Law Library's regular hours of operation are: Monday and Thursday 8:00 to 5:00, Tuesday and Wednesday 10:00 to 7:00, and Friday 8:00-12:00. Staff is available to assist walk-in patrons, as well as by phone, email, and live chat.

### **2021: Year in Review**

- Lawyer in the Library
  - Over 1,300 participants
  - 52 volunteer attorneys
  - 12 new volunteers
- Law Library Staff
  - Phone calls: 3,739
  - Emails: 2,329
  - Live chats: 3,121
  - Reference questions answered: 11,368
  - People that walked through the door: 5,827 (Law Library reopened to walk-in services July 9, 2021)

### **Summary of services**

- Lawyer in the Library
  - The Lawyer in the Library program is by far one of our most in-demand services. The Law Library is continuing to offer this vital program utilizing a “virtual” format, using the Zoom platform, and plan to keep it virtual for the foreseeable future.
  - The Family Law program is offered every Tuesday, General Law every Wednesday, and Probate Law on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of the month.
  - Those wishing to attend can sign-up for the program on our website, one week prior to the event.
  - If attendees do not have Zoom capability, they can either dial in to the meeting with a phone or come into the Law Library and utilize a computer dedicated for Zoom meeting usage.
  - We recently migrated to a new calendaring system that is more user-friendly for the public.



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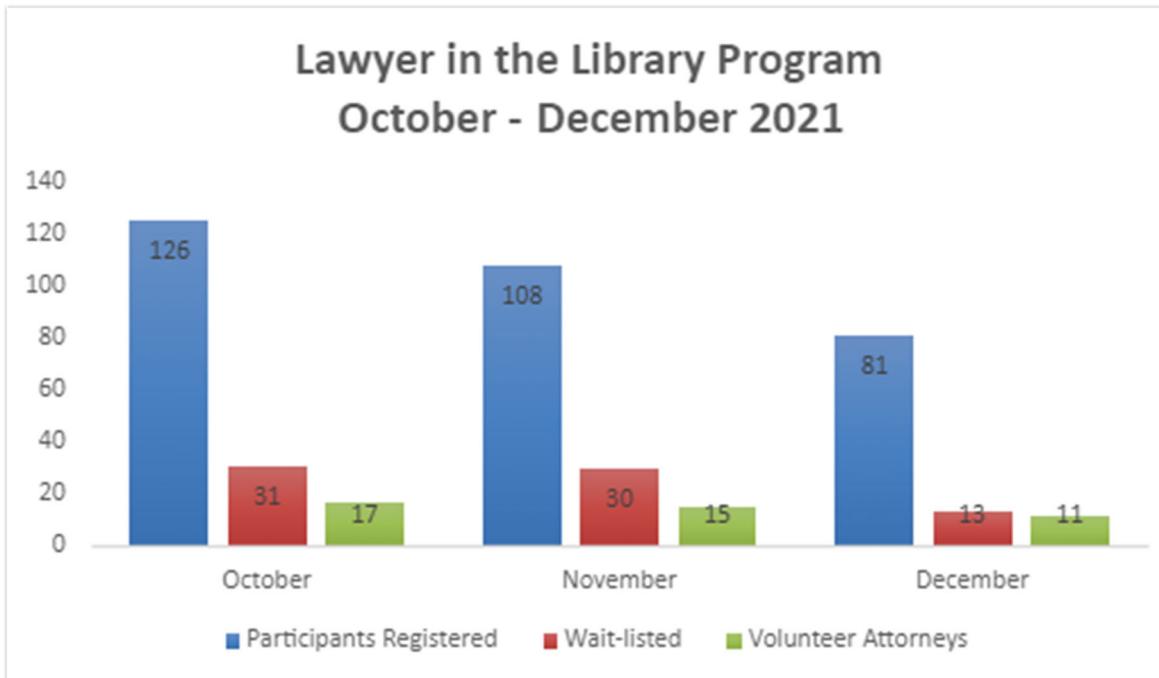
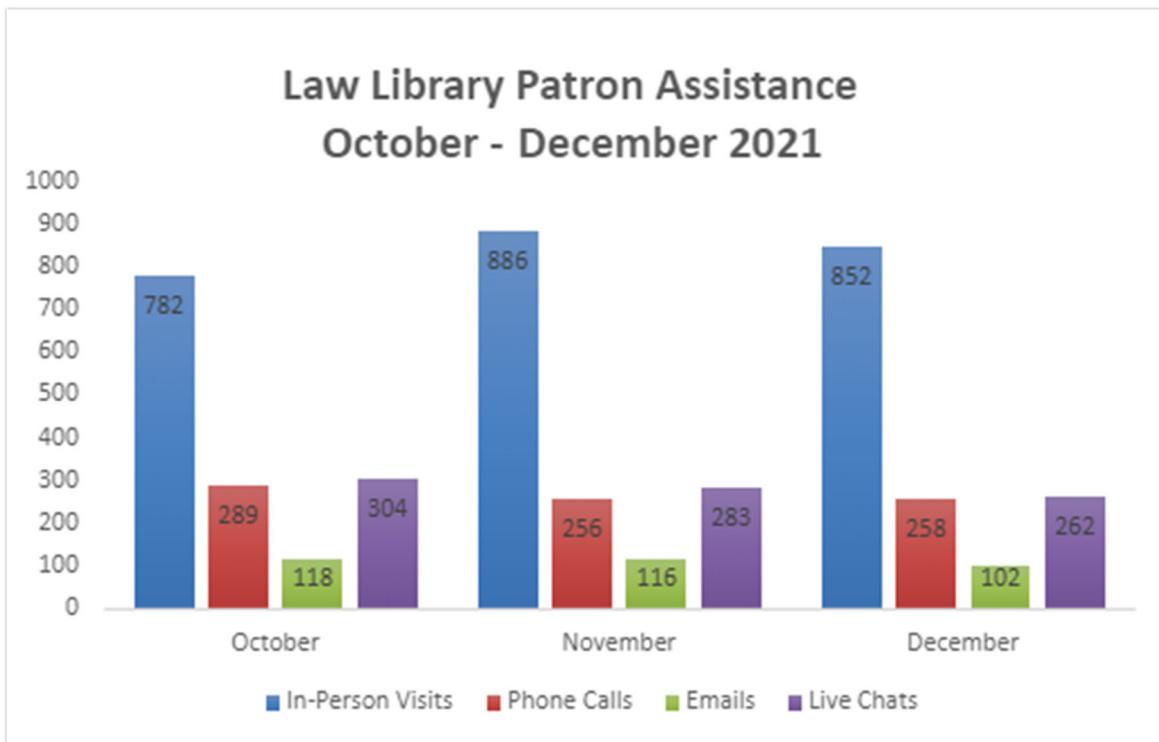
- Digital Legal Research Resources
  - Lexis Digital Library
    - The Lexis Digital Library gives patrons remote 24-hours-a-day, 7-days-a-week access to eBook versions of all the current Lexis and Matthew Bender titles we have in print on the Law Library shelves.
    - Access is free and available to any patron that requests it.
  - Westlaw access
    - The public can access the Law Library's Westlaw subscription from inside the library on one of three computer terminals.
  - HeinOnline
    - Thanks to funding from Washoe County Bar Association, we were able to subscribe to HeinOnline beginning January 2022.
    - With 30 research databases, this premier research platform contains the full text of more than 3,000 scholarly journals, access to U.S. federal and state case law, thousands of classic international documents, and a wealth of government publications.
    - This database can only be utilized onsite, in the Law Library, but if provided a citation, staff is able to retrieve articles and email them to requesters.
  - Other online resources
    - We offer other online resources that patrons can use to perform research at the Law Library or remotely from home.
      - Gale Legal Forms is a forms database in which patrons can use to find legal forms templates and samples.
      - EBSCO Host has over 80 full text legal publications and reference books written in plain English and targeted towards self-represented litigants.
      - We have created several instructional videos to assist patrons with how to electronically file with our Court.
      - There are several other useful resources on our website.
- Packets & Forms
  - The Law Library creates and maintains the forms & packets approved for use by self-represented litigants in the Second Judicial District Court.
  - Court packets and forms are currently provided at no cost to the public and are available both on the court website and at the Law Library & Resource Center.
- Zoom space & assistance
  - With the transition of hearings, programs, mediation, and other court-related meetings from in-person to Zoom, the Law Library has adapted by providing public computers for Zoom use in a private space, as well as assisting the public in the use of Zoom.
- Events
  - We celebrated our 52 Lawyer in the Library volunteers at a virtual version of our annual recognition event in December 2021. We were incredibly fortunate to have Justice Lidia Stiglich as the keynote speaker. Justice Stiglich delivered a moving speech and truly helped us



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emphasize the importance of our volunteers and their commitment to the Lawyer in the Library program. We hope to return to an in-person celebration in December 2022.

**Quarterly Statistics**





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### Resource Center

Second Judicial District Court  
1 South Sierra Street, 3<sup>rd</sup> Floor  
Reno, NV 89501  
(775) 325-6731  
[ResourceCenter@washoecourts.us](mailto:ResourceCenter@washoecourts.us)  
[www.washoecourts.com/ResourceCenter](http://www.washoecourts.com/ResourceCenter)

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#### Current Status

The Resource Center, located inside the Second Judicial District Court Family Division, has now been open to the public for walk-in services since April of 2021. The need for appointments has passed, and we have resumed our regular hours of operation from Monday to Friday, 8:00 a.m.-4:00 p.m.

#### Summary of services

The Second Judicial District Court Resource Center is a proverbial “one stop shop” for information and assistance with court matters for those who represent themselves in Court. We help to provide the citizens of Washoe County with general and procedural information about court processes, provide court approved forms and packets, assist with the filing of documents, process court payments for fines and fees, provide public access to the court record, as well as direct patrons to free legal resources in the community.

- Team members are available by phone at (775) 325-6731
  - Callers may go through the main court phone tree and select the appropriate number for the Resource Center or call us directly at the number above.
- General inquiries via e-mail at [resourcecenter@washoecourts.us](mailto:resourcecenter@washoecourts.us)
  - We can answer most general questions that people have, and direct people to the correct department.
- E-filing support at [eflexsupport@washoecourts.us](mailto:eflexsupport@washoecourts.us)
  - Through the eFlex support e-mail we provide filers with the creation of new accounts, support with existing accounts, and general help navigating the world of electronic filing.
- Zoom trainings
  - We continue to offer eFlex trainings every Tuesday morning in which we cover the basics of setting up and navigating their account, how to e-file for the first time, and then answer any other questions that arise. We have an average of 3-4 people signing up for help every week.

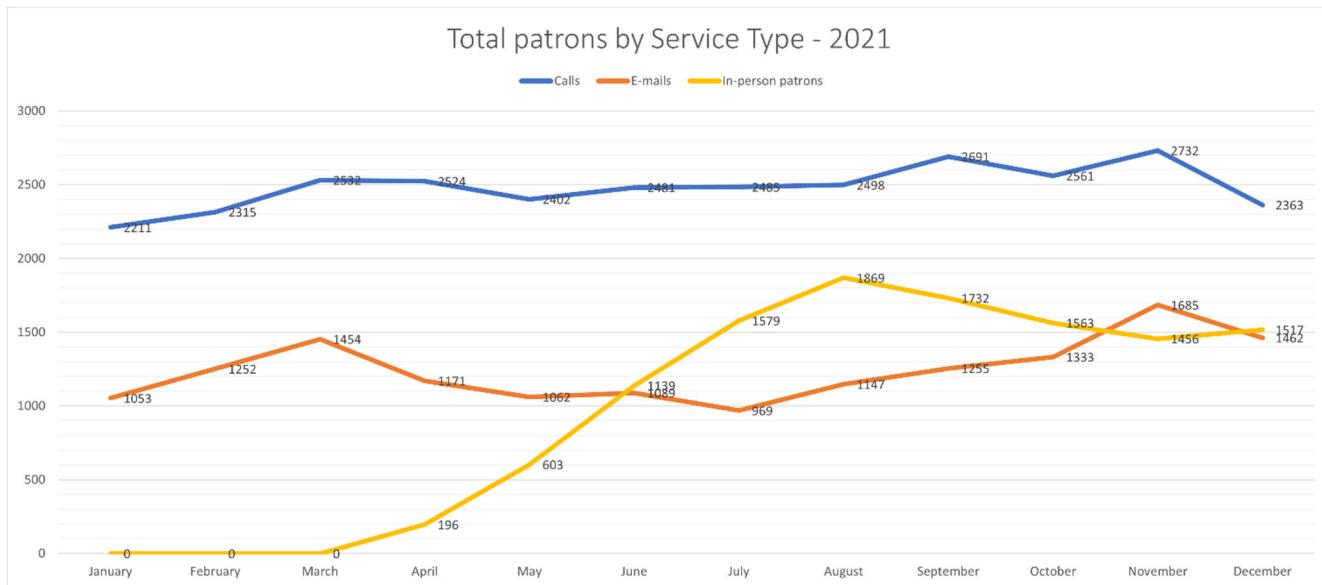
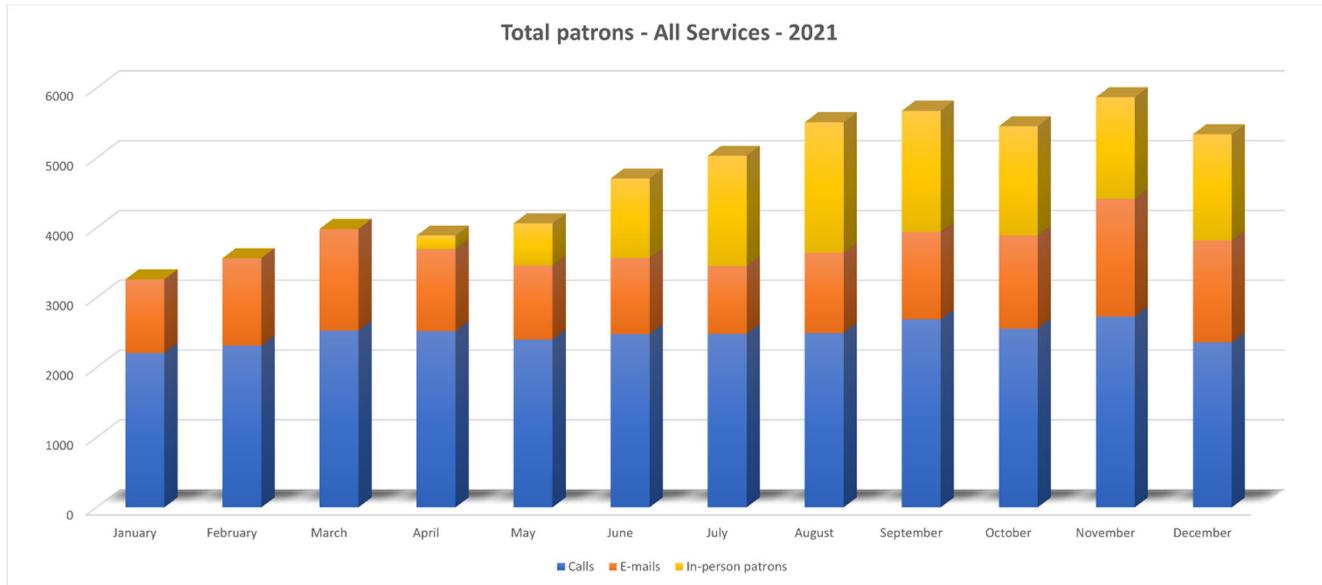
#### Statistics

The total number of patrons accessing our services in-person has leveled out after a sharp increase upon reopening. In this year's fourth quarter we had a total of 7,656 phone calls, 4,480 e-mails, and 4,536 in-person patrons.

For the year of 2021, we assisted with 29,795 phone calls, 14,932 e-mails, and 11,654 in-person patrons.



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## ACCESS TO JUSTICE COMMISSION

### Triannual Nevada Legal Aid Provider/Pre-ATJC Meeting - Highlights

Wednesday, February 23, 2022

#### Attendees Present

Barbara Buckley  
Deonne Contine  
Diane Fearon  
Annamarie Johnson  
Jon Norman

#### ATJC Staff Present

Brad Lewis

This was a regularly scheduled triannual provider call. The call began by welcoming Jon Norman, the new Statewide Advocacy, Outreach and Policy Director for the Nevada Coalition of Legal Service Providers. Jon graduated from law school in 2011 and had some interesting experiences from Tanzania to legal services in New Mexico. He joined Legal Aid Center in November of 2017, initially working with the Children's Attorney Project. He has experience with education, foster care, foreclosure and more.

#### Eviction Update

Evictions continue to be an issue near the top of legal aid inquiries. Updates include:

- *Nevada Legal Services* – After a slowdown in the last quarter of 2021, calls are again increasing in 2022. More seniors seem to be being affected – really anyone with a fixed income as inflation surges. Rent increases are very difficult for many tenants to absorb. Anna to share tenant experiences with Pro Publica soon. In response to WLS staff housing concerns, Anna said it is hurting attorney recruitment.
- *Southern Nevada Senior Law Program* – Evictions are steady, within 5% of what has been seen. Lack of affordable housing is an issue.
- *Washoe Legal Services* – Similar to SNSLP. Affordable housing is an issue even being seen with WLS staff. WLS's medical legal partnership with Northern Nevada HOPES has seen issues with their transitional housing program, making it very difficult to permanently place participants.
- *Legal Aid Center of Southern Nevada* – Seems similar issues to all. It is currently the biggest issue being seen. Rental application fees are a concern and have potential to be addressed legislatively.

#### Elder Grant – Legal Kiosk/Library Project

Anna shared that this week the project manager interviews are taking place with the goal to select a candidate next week. She reported that the ADSD RFR arrived last week. Anna, Deonne and Brad are serving as the hiring committee and it seems there are some good candidates.



### **Statewide Technology and Forms Committee**

Brad shared he's struggling to get those necessary to participate in attempting to arrive at a single fee waiver form to be used for all courts - Justice and District. Barbara suggested that with the new hire for the civil law self-help center taking longer than expected, she would reach out to Stephanie McDonald to see if she can assist. Brad to follow up. The goal is to get approval on the first five court forms developed by the committee to be approved by the Commission with a memo for courts in support of accepting these forms on a statewide basis as part of a larger, long-term effort to have commonly used forms be universal and accepted in all Nevada courts.

### **IOLTA Outreach Plan**

Brad shared that one ATJC goal for 2022 is to re-engage with Nevada IOLTA-participating financial institutions. The previous pre-COVID efforts which led with the presentation of the findings from the Nevada Statewide Study of Legal Needs and Economic Impacts were very successful in educating the banks on what legal aid providers do and the benefits.

Feedback on outreach options included inviting all banks to some sort of event. For example, Bank of Nevada could host in the south and First Independent Bank could host in the north. Another idea was leveraging the new video being developed for the SBN annual meeting featuring legal aid clients sharing their stories and the help they received. One idea was to split up banks for personal visits and tours of legal aid provider offices statewide. This could be combined with some sort of recognition for their support such as a certificate of thanks. Brad to develop a concept for feedback.

### **New ABA Question for 2022**

ABA's Resource Center for ATJ Initiatives asked a new, interesting question for 2022:

*Considering all possible creative and innovative methods that could be employed for improving access to civil justice, not simply the traditional modes of enhancing and expanding legal aid/pro bono representation, what actions do you think your Commission should pursue to advance access to justice in your state in a way that truly "moves the ball forward?"*

A separate document combines all responses from Nevada legal aid providers and is available from the Commission. Brad wanted to assess interest for including as ATJC action priorities for 2022.

Three items were focused on for progress:

- 1. Formally request that the Division of Manufactured Housing develop the proper mobile home form and process for designating a beneficiary for transfer of ownership upon death.**
  - a. The legislature created a statute effective January 2020 to enable this type of transfer, however the Division of Manufactured Housing has not created the requisite form or process. It is important to complete the form required by statute to avoid costly probate or creating a Trust.



**2. Recommend legislation that mandates twelve (12) months v. the customary industry practice of eighteen (18) months for a Deed Upon Death for real property.**

- a. We would like to see this revised to shorten this time period. Many clients feel they cannot burden their heirs with holding the property for 18 months, and therefore, are faced with the more costly alternatives of putting the property in a Will, thus triggering probate, or creating a Trust.

**3. Simplify and clarify the language in the Durable Power of Attorney for Health Care Decisions and the Statutory Form Power of Attorney (for asset management).**

- a. These are some of the most requested documents by the clients of legal aid and the current phrasing is tortured, ambiguous, and overly wordy. Clients are routinely confused by these provisions.

It was determined Brad would follow up with Jon to discuss these and other matters and that Jon would consider incorporating these items into a larger legal services list for action. Barbara suggested Jon reach out to Terry Reynolds on the mobile home items to figure out the best way to advance.

Other items discussed included the theme of forms and filing improvements, especially in light of upcoming Nevada Supreme Court technology funding with limited resources, and potentially eliminating service by publication. (See Alaska changes.) It would seem a single system funding protocol could achieve substantial cost savings both initially and over time. Technological change is likely to be a major driver well into the future. Brad will work to see if these items can be included in the March ATJC agenda.

**Equal Justice Conference**

As many are going to the EJC it was floated we perhaps should get the Nevada team together. Anna recommended a restaurant worth considering. Brad to follow up.

**The IOLTA Report**

Brad reminded the group that ATJC writes an article most months for the Nevada Bankers Association e-newsletter and that providers are welcome to write 500 word stories for inclusion.

**Unbundling**

The meeting ended with a brief recap on unbundling. The Draft 2 Subcommittee of the Unbundling Committee has a draft ready for the full Unbundling Committee to review on Friday, February 25. Brad will share a status update of the full discussion soon thereafter.

**NBA December 2021 Newsletter –**

The IOLTA Report: Justice for All?

*Legal Aid and Partners Deliver a More Hopeful Holiday Season to Nevadans in Need*

Nevada's legal aid service providers are active in communities throughout Nevada this holiday season, helping low-income Nevadans with civil legal needs, offering cause for hope.

Legal Aid Center of Southern Nevada partnered with many government agencies and nonprofit organizations to meet people where they are, engaging them to avoid the many legal hardships that can accumulate when you are alone and without resources.

Community outreach events happened in Las Vegas, Henderson, and North Las Vegas. They focused on helping smooth civil legal issues at job, resource, and family wellness fairs. Events included the Clark County Jobs Fair, Goodwill's 5<sup>th</sup> Annual Holiday Resource Fair, and Governor Sisolak's JobFest. The Fall Project Homeless Connect was also supported. Often, minor, nonviolent records can be sealed so that those who have fallen on hard times can get housing. For some, one second chance is all they need. Others, still affected by the October 1, 2017 Las Vegas mass shooting, were supported through the Las Vegas Strong Resiliency Center's participation at the Mob Museum's Community Safety Forum Series.

Nevada Legal Services (NLS) held a statewide Pandemic Unemployment Assistance (PUA)/Unemployment Insurance (UI) Ask-A-Lawyer Clinic. NLS staff lawyers provided advice to 63 clients who were experiencing issues with their PUA and UI claims. As COVID-19 continues to hamper in-person events, NLS ramped up YouTube Live videos about common legal issues experienced by low-income Nevadans. NLS's YouTube Live channel made the latest legal updates accessible from the safety and comfort of client's homes.

Washoe Legal Services (WLS) supplemented their clients' legal needs by holding a Holiday Food Drive supporting the Food Bank of Northern Nevada. WLS also placed an Angel Tree in their office and partnered with Safe Embrace, helping victims of domestic abuse become survivors. Selected families' Christmas wish lists will be fulfilled this holiday season. WLS is also teaming up with the Salvation Army for a holiday celebration. This cooperation has benefitted several Salvation Army clients who are now also WLS Child Advocacy Program clients. The partnership builds community awareness of resources for those impacted by domestic violence.

In this Season of Light, Nevada's legal aid service organizations, nonprofit partners and government agencies help Nevadans in need leave the darkness behind and renew their hope for a better future.

Nevada IOLTA-participating financial institutions are an integral part of helping Nevada communities and delivering aid to those in need, allowing them to be more hopeful and more productive. Happy holidays to all and Happy New Year!

*Justice for All?* is a series about civil legal needs experienced by Nevadans struggling to make ends meet. Leading Nevada financial institutions pay favorable rates on Interest on Lawyer Trust Accounts (IOLTA) that, along with court filing fees, grants and other funding, helps deliver access to justice for all Nevadans, regardless of wealth, status, power, or the ability to pay. Permission to reproduce granted with acknowledgement to the Nevada Supreme Court Access to Justice Commission.

## NBA January 2022 Newsletter –

The IOLTA Report: Justice for All?

### *New Year Planning Should Include Safety Planning for Victims of Domestic Violence (DV)*

Anyone can experience domestic violence, but women, children, and the elderly are among the most vulnerable. The problem is especially acute in Nevada. According to *World Population Review*, “about 43.8% of Nevada women and 32.8% of Nevada men experience domestic violence in their lifetime ... for many years, Nevada was ranked first for domestic violence fatalities....” Leaving a violent relationship is the most dangerous time for a woman her and children. Abusers may do anything to regain control of their victims.

When preparing a safety plan one can ask:

- Do I have money and an extra set of keys with a friend/neighbor so I can leave quickly?
- Who can I ask for extra money and a place to stay?
- Do I have a list of safe numbers to call if I need help?
- Do I have extra clothes ready for myself and my children?
- Do I have extra copies of all important documents for myself and my children?
- Can I only use cash and avoid credit or debit cards that can be tracked by my abuser?
- Do I know the passwords and PIN numbers for my accounts and how to change them?
- Have I called my cell phone company and asked them to disable the GPS chip in my phone so my abuser can’t use my cell phone to track my location?

*It is also recommended to open a savings account to establish credit and financial independence.*

*Ask: Am I prepared to close my existing bank account and open a new one elsewhere?*

Other considerations include:

- Safety during a violent incident
- Protection orders
- Safety on the job
- Safety planning for children
- Safety at home

Volunteer Attorneys for Rural Nevadans (VARN) has assembled a comprehensive collection of planning tools and [Nevada statewide resources on their newly updated website.](#)

SafeNest, another Nevada IOLTA recipient, is focused on moving survivors from protection to empowerment. The [National Network to End Domestic Violence](#) reports that “financial abuse is often cited by victims of abuse as the main reason that they stayed with or returned to an abusive partner”. More than 90% of DV survivors suffer from financial abuse. Financial abuse can include the abuser forbidding work, controlling, withholding or stealing money, applying for credit in victims’ names and running up debt, and hiding assets. Evictions often result in DV situations.

SafeNest advocates help survivors open bank accounts and reestablish credit. Financial institution awareness, knowledge of and assistance in these areas is invaluable. A February 2020 American Bankers Association article encouraged financial professionals to walk “In Someone Else’s Shoes” to raise awareness around the financial issues of domestic violence.

There are often secrets around domestic violence. Financial abuse as part and parcel of DV should not be one of them.

Interest on Lawyer Trust Account (IOLTA) funds are a critical resource employed by all Nevada legal aid and other community service providers to provide legal help for low-income victims of domestic violence to regain control of their lives and live safely, free from fear.

*Justice for All?* is a series about civil legal needs experienced by Nevadans struggling to make ends meet. Leading Nevada financial institutions pay favorable rates on Interest on Lawyer Trust Accounts (IOLTA) that, along with court filing fees, grants, and other funding, help deliver access to justice for all Nevadans, regardless of wealth, status, power, or the ability to pay. Permission to reproduce granted with acknowledgement to the Nevada Supreme Court Access to Justice Commission.

**NBA February 2022 Newsletter –**

The IOLTA Report: Justice for All?

*The Intersection of Domestic Violence and Financial Abuse: What You Should Know, How You Can Help*

Anyone can experience domestic violence (DV), but women, children, and the elderly are among the most vulnerable. The problem is especially acute in Nevada. According to *World Population Review*, “about 43.8% of Nevada women and 32.8% of Nevada men experience domestic violence in their lifetime ... for many years, Nevada was ranked first for domestic violence fatalities....” Leaving a violent relationship is the most dangerous time for a woman her and children. Abusers may do anything to regain control of their victims.

SafeNest, a 44-year-old Nevada nonprofit and Nevada IOLTA recipient, is focused on moving survivors of DV from protection to empowerment. The [National Network to End Domestic Violence](#) reports that “financial abuse is often cited by victims of abuse as the main reason that they stayed with or returned to an abusive partner”. More than 90% of DV survivors suffer from financial abuse. Financial abuse can include the abuser forbidding work, controlling, withholding or stealing money, applying for credit in victims’ names and running up debt, and hiding assets. Evictions often result in DV situations.

SafeNest advocates help survivors open bank accounts and reestablish credit. Financial institution awareness, knowledge of and assistance in these areas is invaluable. A February 2020 American Bankers Association article encouraged financial professionals to walk “In Someone Else’s Shoes” to raise awareness around the financial issues of domestic violence.

Volunteer Attorneys for Rural Nevadans (VARN), a northern Nevada legal aid provider and IOLTA recipient, has assembled a comprehensive collection of safety planning tools for DV and [Nevada statewide resources are on their newly updated website.](#)

There are often secrets around domestic violence. Financial abuse as part and parcel of DV should not be one of them.

Interest on Lawyer Trust Account (IOLTA) funds are a critical resource employed by all Nevada legal aid and other community service providers to provide legal help for low-income victims of domestic violence to regain control of their lives and live safely, free from fear. Thanks to all Nevada financial institutions that choose to support legal help and the legal profession.

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**NBA March 2022 Newsletter –**

The IOLTA Report: Justice for All?

*Nevada Financial Institutions Advocate for Children through Support of Legal Aid*

April is Child Abuse Prevention Month. Returning to Reno on April 29 this year, after a two-year hiatus due to the pandemic, Washoe Legal Services (WLS) will once again host its *Child's Voice Luncheon*.

Children are often at the center of court proceedings, but historically have struggled to have their voices heard while others are making vital decisions for them. Legal aid has been at the forefront in helping to change that dynamic so that children are listened to and have their views considered during discussions about their future.

It's an unfortunate reality that children often find themselves in difficult situations over which they have no control. Whether it's neglect, abuse, separation, divorce, foster care, or other legal issues, legal aid may be the only source of stability in a time of chaos for children. Few cases are happy, the exception being adoptions, which can be the best day in many people's lives.

The WLS Child Advocacy Program (CAP) focuses on Child Protective Services (CPS) cases, minor guardianship cases, and adoptions. WLS CAP attorneys represent children who have been removed from their parents' custody due to allegations of abuse and neglect, children who are under the jurisdiction and protection of a court-appointed guardian, and prospective adoptive parents who want to adopt a child in foster care or adopt an adult who has aged out of the foster care system. WLS attorneys represent only the child and do not represent the interests of any other party to the case, such as the child's parents or CPS.

Other Nevada legal aid providers also offer child advocacy. Legal Aid Center of Southern Nevada's CAP program is supplemented by an education advocacy program. Nevada Legal Services advocates for children through paternity, custody, visitation, and child support services.

IOLTA (Interest on Lawyer Trust Accounts) is an important funding source that helps make it possible for legal aid to give a voice to children they may not otherwise have in legal proceedings. All Nevada IOLTA-participating financial institutions help support the representation of children in courtrooms. In the case of the Child's Voice Luncheon, First Interstate Bank and Meadows Band go above and beyond; both are gold sponsors of the luncheon. Nevada is fortunate to have community bankers interested in the welfare of children and who support children having a voice in their future.

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Public Awareness 032522 –

Since the November 5, 2021 report...

**Twitter** - We increased from 207,120 to 213,407 impressions and from 9,344 to 10,984 profile visits on Twitter. We encourage you to follow us **@NevadaATJ**.