



# Nevada Supreme Court Access to Justice Commission

Meeting - Friday, March 26, 2020 2:00 PM – 4:00 PM

## Join meeting with Zoom

<https://nvbar.zoom.us/j/96860459999>

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: 968 6045 9999

888 475 4499 US Toll-free

877 853 5257 US Toll-free

## Meeting Agenda

- |  |                   |              |
|--|-------------------|--------------|
| <b>I. Opening Statements from Co-Chairs<br/>&amp; Commission Roll Call</b>   | <b>5 minutes</b>  |              |
| <b>II. Consent Agenda</b>  | <b>5 minutes</b>  | <b>Tab 1</b> |
| • Approval of November 6, 2020 Commission Meeting Minutes  |                   |              |
| <b>III. Discussion Items</b>   |                   | <b>Tab 2</b> |
| • <b>Legislative Update</b>  | <b>10 minutes</b> |              |
| ○ AB 357 - <a href="https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7915/Text">https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7915/Text</a> |                   |              |
| • <b>Eviction Prevention Plan – Phase 2 Options</b>  | <b>30 minutes</b> |              |
| • <b>Statewide Technology and Self-Help Forms Committee</b>  | <b>10 minutes</b> |              |
| ○ Drafting Subcommittee  |                   |              |
| • <b>Commission Membership Terms Expiring July 2021</b>  | <b>5 minutes</b>  |              |
| • <b>Unbundled Services</b>  | <b>15 minutes</b> |              |
| ○ ABA model rule - <a href="#">Rule 1.2: Scope of Representation &amp; Allocation of Authority Between Client &amp; Lawyer (americanbar.org)</a>             |                   |              |
| ○ Unbundling by State  |                   |              |
| ▪ <a href="#">Unbundling Resources by State (americanbar.org)</a>  |                   |              |
| ▪ <a href="#">Rules (americanbar.org)</a>  |                   |              |
| ○ Self-Represented Litigant Network - <a href="#">Unbundling   SRLN</a>  |                   |              |
| <b>IV. Reports</b>   | <b>10 minutes</b> | <b>Tab 3</b> |
| • <b>IOLTA</b>   |                   |              |
| • <b>Bishop Alternative</b>  |                   |              |
| • <b>CLE for Pro Bono Results</b>  |                   |              |
| <b>V. Other Business</b>   | <b>5 minutes</b>  |              |



# Nevada Supreme Court Access to Justice Commission

Meeting - Friday, March 26, 2020 2:00 PM – 4:00 PM

## VI. Informational Items

Tab 4

- Legal Aid Provider Highlights
- Self-Help Center Statistics
- Justice Pickering and Brad Lewis Eviction Mediation Program presented at Legal Services Corporation (LSC) *Forum on Increasing Access to Justice* on February 4
- Nevada Bankers Association *The IOLTA Report*
- Public Awareness

### *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

---

Access to Justice Commission Meeting Minutes  
Friday, November 6, 2020 – 2:00 p.m.

### **Commission Members Present**

Chief Justice Kristina Pickering  
Justice James Hardesty  
Connie Akridge  
Bobbette Bond  
Kelly Bronagh  
Julie Cavanaugh-Bill  
Deonne Contine  
Annamarie Johnson  
Judge Joanna Kishner  
Noah Malgeri  
Joseph McEllistrem  
Judge John Schlegelmilch  
Judge Connie Steinheimer  
Greer Sullivan  
Judge E. Alan Tiras  
Adam Tully  
Sugar Vogel

### **Guests Present**

Jim Berchtold  
Bailey Bortolin  
Barbara Buckley  
Emily Reed  
Jennifer Richards  
Christine Smith  
Summer Youngquist

### **Staff Present**

Brad Lewis

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

The Access to Justice Commission meeting was called to order. Justice Hardesty welcomed all with a special thanks to Shannon Chambers, Nevada Labor Commissioner and Home Means Nevada President, appointed Administrator of the Eviction Mediation Program. A roll call was conducted and approval of the June 19, 2020 minutes was requested. The minutes were adopted for the record.



### **Eviction Mediation Program**

The meeting began with a review of the Eviction Mediation Program and a demonstration of the [www.TheRenterConnect.org](http://www.TheRenterConnect.org) website. Ms. Chambers shared that the main issue and concern has been how to manage the volume. Brad shared that a new round of mediator appointments were occurring soon and requested that Commission members make experienced mediators aware of the program and encourage them to apply.

Chief Justice Pickering shared that it seemed the program was accomplishing some good results and was curious about program statistics. (The statistics below are from after the meeting as of 12/31/20.)

- 1349 - Cases sent to Home Means Nevada, Inc. for mediation
- 1260 - Assigned to mediators (Clark County 999/Rest of State of Nevada 261)
- 611 - Agreements = Tenant and landlord reached agreement. 56% of agreements had rental assistance as part of the agreement.
- 613 - No-Agreements = Eviction Hearing to proceed as scheduled by court
- 89 - Cases Withdrawn
- 36 - Cases Active

A discussion ensued about how much rental assistance had been spent and remained available. It was emphasized that getting rental assistance answers before mediations occurred were important to securing agreements to keep tenants housed during COVID-19.

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

The survey of Justice Courts was discussed. It will be temporarily delayed as there are currently several asks out to the courts and the Nevada Judges of Limited Jurisdiction (NJLJ). We will revisit the desire to collect information about electronic and alternative filing methods as soon as appropriate as a part of advancing this initiative.

### **Unbundled Services**

Nevada Legal Services is seeking courts in the north/rurals to agree to unbundled services in order to offer better access to justice. In particular, it has been difficult to place contested family law cases due to the significant time burden placed on pro bono attorneys. Justice Hardesty suggested it would be reasonable to look at the local rule in Clark County, though any “dangling issue” concerns should be addressed. Julie Cavanaugh-Bill said there has been a preference for pro bono appointments being made for an entire case v. only for specific hearings as the courts in the north might have issues with attorneys popping in and out of a case for only one hearing. Judge Schlegelmilch shared that it is difficult in rural communities with unbundled services due to inconsistency in representation. On the whole, and taking into account concerns raised, there was a consensus that - provided the code of professional conduct can be upheld - beginning outreach and conversations with northern and rural court judges can advance. For the next Commission meeting, Brad to gather the ABA Model Rule and how other states handle for review.



### **Legal Services Corporation Request**

Annamarie Johnson of Nevada Legal Services requested the assistance from Access to Justice Commission member rural judges and representatives due to a request for participation at LSC's *Forum on Increasing Access to Justice*. Members of Congress and the general public join this well attended Forum to address the key issues of the day and how various states and locales are advancing access to justice. Justice Hardesty suggested that anyone interested reach out.

### **CARES Act Funding**

Remaining CARES Act funding was discussed. If some funds are use-it-or-lose-it we should remember access to justice needs such as electronic filing technology, new computers, remote witness capabilities, etc. Justice Hardesty asked if legal aid providers had any "shovel-ready" projects which could be listed for consideration should such an opportunity exist. Examples shared included COVID-19 related spending such as electronic finger printing, plexiglass barriers for court, and visitation rooms which could be used by both attorneys and families for nursing home in-person visits. Also, perhaps temporary employment services are needed to support Home Means Nevada mediation or Clark County rental assistance. It was noted that Washoe Courts used some CARES Act funds to refurbish courtrooms, including enlarging some to meet social distancing guidelines during COVID-19. Brad will organize a call with providers to solicit needs feedback for Justice Hardesty.

### **Nevada Department of Health and Human Services Grant**

Jennifer Richards, Chief Elder and Disability Rights Attorney, Nevada Department of Health and Human Services, Aging and Disability Services Division, joined the Commission meeting to share that a \$3 million grant was available through September 30, 2021. The grant funds programs for those over age 60. She shared examples of approved programs, including one state that used the funds for legal kiosks at medical centers during COVID-19. Brad to set a call with Ms. Richards and legal aid providers to discuss needs funding in Nevada.

### **IOLTA**

Due to COVID-19, the Federal Reserve dropped interest rates to near zero. In response, the Access to Justice Commission notified Nevada IOLTA-participating financial institutions in March 2020 that interest on Nevada IOLTA accounts would be immediately reduced to 0.70%, the SCR 217 minimum. Further, in two stages by temporary order, Nevada's IOLTA rate was dropped below the SCR 217 minimum to 0.65% for the period 6/1/20 - 6/1/21. Reduced IOLTA interest rates will reduce available 2021 grant dollars. As a result, Justice Hardesty asked Connie Akridge, President of the Board of Trustees of the Nevada Bar Foundation, if they would review reserves and consider drawing down \$300,000 from the \$600,000 reserve to mitigate the shortfall. Ms. Akridge said she would. If approved, it would allow granting to be within approximately \$30,000 of 2020.



## **Legal Aid Provider Reports**

- Southern Nevada Senior Law Program
  - Sugar Vogel reported that SNSLP has one to two shovel-ready projects to share for potential funding.
  - Ms. Vogel thanked Legal Aid Center of Southern Nevada for helping support SNSLP pro bono attorney needs.
- Legal Aid Center of Southern Nevada
  - Barbara Buckley shared some COVID-19 impact statistics
    - Civil Law Self Help Center
      - Pre-pandemic average inquiries per month – 3900
      - During pandemic average inquiries per month – 5100
      - #1 increase is in evictions
    - Family Law Self Help Center
      - Pre-pandemic average inquiries per month – 5400
      - During pandemic average inquiries per month – 6800
    - UNLV students have been helping triage call volume
- Washoe Legal Services
  - Deonne Contine shared their call volume is also up.
    - 2020 calls March-October were 2800 v. 1800 in 2019.
    - Resources can be described as strained, but meeting volume at present.
    - 50 people attended WLS evictions seminar.
- Nevada Legal Services
  - Annamarie Johnson shared that April 1 – October 31, 2020 NLS fielded 80,400 calls statewide, a 106% increase.
  - 83% of that volume is evictions and housing related.
  - COVID-19 seems to be making all legal issues worse.
  - Yerington, an office with a typically slower pace, has seen 20 calls per day plus walk-ins.

## **Informational Items**

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

- Legal Aid Provider Highlights
- Self-Help Center Statistics
  - The Civil Law Self Help Center has been busy with tenants seeking help with evictions. The week of October 19, we helped more than 1,100 tenants in 4 days (the Center is closed on Fridays). On Monday, October 26, the Center saw a record 334 in-person customers in one day. These numbers do not include the customers who called in, online "chatted," and emailed.
- CLE for Pro Bono Procedure Update
- Nevada Bankers Association *The IOLTA Report*, June - October
- American Society of Association Executives Centennial Research Recognition of the *Statewide Study of Legal Needs and Economic Impacts*, ASAE Annual Meeting Session
- Public Awareness

ASSEMBLY BILL NO. 357—ASSEMBLYMAN FRIERSON

MARCH 22, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to consumer protection. (BDR 18-887)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to consumer protection; creating the Consumer Protection Legal Fund in the Office of the Attorney General and prescribing the use of money in the Fund; creating the Consumer Protection Administrative Fund in the Bureau of Consumer Protection within the Office of the Attorney General and prescribing the use of money in the Fund; revising provisions relating to the distribution of money received from certain settlements and litigation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) creates the Bureau of Consumer Protection within the Office of the Attorney General; and (2) provides that the executive head of the Bureau of Consumer Protection is the Consumer’s Advocate, who may generally exercise the power of the Attorney General in areas of consumer protection and enforcement. (NRS 228.310, 228.380) Existing law also creates the Attorney General’s Special Fund, a special revenue fund which may be used in part for certain litigation expenses. (NRS 228.096, 598A.260) Existing law additionally provides that: (1) in certain actions brought by the Attorney General involving deceptive trade practices or unfair trade practices, any fees, civil penalties and any other money collected must be deposited in the State Treasury, in either the State General Fund or the Attorney General’s Special Fund; and (2) any balance above certain dollar amounts must revert from the Attorney General’s Special Fund to the State General Fund. (NRS 598.0975, 598A.260) This bill creates two new funds to be used for consumer protection and the prevention of fraud.

Section 2 of this bill creates the Consumer Protection Legal Fund in the Office of the Attorney General. Section 3 provides that the money in the Fund must be allocated to: (1) the Office of the Attorney General or the Consumer’s Advocate to be used for consumer protection and efforts to prevent fraud including, without limitation, to pay for necessary staff to carry out such consumer protection and



20 efforts to prevent fraud; and (2) to certain legal aid organizations, in certain  
21 percentages, to be used for consumer protection and efforts to prevent fraud. Under  
22 **section 3**: (1) the money allocated to the Office of the Attorney General or the  
23 Consumer's Advocate must be used to pay for necessary staff to carry out  
24 consumer protection and efforts to prevent fraud before the money is used for any  
25 other purpose; and (2) if there is insufficient money allocated from the Fund to pay  
26 for necessary staff to carry out such consumer protection and efforts to prevent  
27 fraud, the Attorney General is authorized to submit a request to the Interim Finance  
28 Committee for an allocation from the Contingency Account to cover such costs.  
29 Under **section 3**, each legal aid organization receiving money from the Fund is  
30 required to: (1) submit semiannual reports to the Office of the Attorney General  
31 that summarize activities undertaken by the legal aid organization and include  
32 certain information; and (2) submit an audited statement regarding the use of  
33 money received from the Fund during the previous calendar year.

34 **Section 4** of the bill creates the Consumer Protection Administrative Fund in  
35 the Bureau of Consumer Protection. **Section 4**: (1) requires the deposit of certain  
36 money from settlements and litigation into the Fund; and (2) provides that any  
37 balance in excess of \$500,000 in the Fund at the end of a fiscal year reverts to the  
38 Consumer Protection Legal Fund. **Section 5** of this bill makes conforming changes  
39 to indicate the placement of **sections 2, 3 and 4** within the Nevada Revised  
40 Statutes.

41 **Sections 6 and 7** of this bill reallocate money collected in certain actions  
42 brought by the Attorney General involving deceptive trade practices or unfair trade  
43 practices and provide that such money must be deposited in the Consumer  
44 Protection Administrative Fund rather than the State General Fund or the Attorney  
45 General's Special Fund.

---

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 228 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2. 1. *The Consumer Protection Legal Fund is hereby***  
4 ***created in the Office of the Attorney General.***

5 ***2. Money to be deposited in the Fund must be placed into an***  
6 ***interest-bearing account in a bank or credit union qualified to***  
7 ***receive deposits of public money. All interest earned on the money***  
8 ***in the Fund, after deducting any applicable charges, must be***  
9 ***credited to the Fund.***

10 ***3. Money that remains in the Fund at the end of the fiscal***  
11 ***year does not revert to the State General Fund, and the balance in***  
12 ***the Fund must be carried forward to the next fiscal year.***

13 **Sec. 3. 1. *On January 1 and July 1 of each year, the***  
14 ***Attorney General shall allocate the money in the Consumer***  
15 ***Protection Legal Fund as follows:***

16 ***(a) Fifty percent to the Office of the Attorney General or the***  
17 ***Consumer's Advocate to be used for consumer protection and***  
18 ***efforts to prevent fraud, including, without limitation, education,***  
19 ***investigation, enforcement and litigation. Money allocated***



1 *pursuant to this paragraph may be used to pay for necessary staff*  
2 *to carry out such consumer protection and efforts to prevent*  
3 *fraud. Before making any other use of money allocated pursuant*  
4 *to this paragraph, the Office of the Attorney General or the*  
5 *Consumer's Advocate, as applicable, shall use such money to pay*  
6 *for necessary staff to carry out such consumer protection and*  
7 *efforts to prevent fraud. If there is insufficient money allocated*  
8 *pursuant to this paragraph to pay for necessary staff to carry out*  
9 *such consumer protection and efforts to prevent fraud, the*  
10 *Attorney General may submit a request to the Interim Finance*  
11 *Committee for an allocation from the Contingency Account*  
12 *pursuant to NRS 353.266, to cover such costs.*

13 *(b) Fifty percent to the following legal aid organizations, or*  
14 *their successors, in the following percentages:*

15 *(1) Seventy percent to Legal Aid Center of Southern*  
16 *Nevada;*

17 *(2) Nineteen percent to Nevada Legal Services; and*

18 *(3) Eleven percent to Washoe Legal Services.*

19 *2. Each legal aid organization listed in paragraph (b) of*  
20 *subsection 1 shall:*

21 *(a) Use the money received from the Fund for consumer*  
22 *protection and efforts to prevent fraud, including, without*  
23 *limitation, education and litigation; and*

24 *(b) On or before January 1 and July 1 of each year, submit a*  
25 *report to the Office of the Attorney General that includes a*  
26 *detailed summary of all activities undertaken by the legal aid*  
27 *organization during the previous 6-month period with the money*  
28 *received from the Fund, including, without limitation:*

29 *(1) Activities relating to consumer protection and the*  
30 *prevention of fraud;*

31 *(2) Litigation;*

32 *(3) Educational activities;*

33 *(4) Statistical information on the number of persons*  
34 *served; and*

35 *(5) An accounting of the use of the money, including,*  
36 *without limitation, the specific amount of money used for salaries,*  
37 *costs and expenses.*

38 *3. On or before July 1 of each year, each legal aid*  
39 *organization listed in paragraph (b) of subsection 1 shall submit to*  
40 *the Office of the Attorney General an audited statement regarding*  
41 *the use of money received from the Fund during the previous*  
42 *calendar year.*

43 *4. The Office of the Attorney General is entitled to audit,*  
44 *examine or inspect the books and records of each legal aid*



1 *organization listed in paragraph (b) of subsection 1 at any time*  
2 *regarding the use of money received from the Fund.*

3 **Sec. 4. 1. The Consumer Protection Administrative Fund is**  
4 **hereby created in the Bureau of Consumer Protection.**

5 *2. Except as otherwise provided in this section, all money*  
6 *collected from attorney's fees and costs, after reimbursement to*  
7 *retained attorneys or law firms in any matter including attorney's*  
8 *fees and costs in a matter that is the subject of a contingent fee*  
9 *contract pursuant to NRS 228.1116, and from all recoveries,*  
10 *except recoveries of restitution, recoveries made with the use of*  
11 *retained attorneys or law firms in any matter that is the subject of*  
12 *a contingent fee contract pursuant to NRS 228.1116, or otherwise*  
13 *directed by a court order from the administration and enforcement*  
14 *of chapters 598 and 598A of NRS, must be deposited into the*  
15 *Fund.*

16 *3. On June 30 of each year, any amount in excess of*  
17 *\$500,000 in the Fund reverts to the Consumer Protection Legal*  
18 *Fund created by section 2 of this act.*

19 **Sec. 5.** NRS 228.300 is hereby amended to read as follows:

20 228.300 As used in NRS 228.300 to 228.390, inclusive, *and*  
21 *sections 2, 3 and 4 of this act*, unless the context otherwise requires,  
22 the words and terms defined in NRS 228.302 to 228.308, inclusive,  
23 have the meanings ascribed to them in those sections.

24 **Sec. 6.** NRS 598.0975 is hereby amended to read as follows:

25 598.0975 1. Except as otherwise provided in subsection 3  
26 and in subsection 1 of NRS 598.0999, all fees, civil penalties and  
27 any other money collected pursuant to the provisions of NRS  
28 598.0903 to 598.0999, inclusive:

29 (a) In an action brought by the Attorney General, must be  
30 deposited in the ~~[State General Fund and may only be used to offset~~  
31 ~~the costs of administering and enforcing the provisions of NRS~~  
32 ~~598.0903 to 598.0999, inclusive, by the Attorney General, or for any~~  
33 ~~other purpose authorized by the Legislature.] **Consumer Protection**~~  
34 ~~**Administrative Fund pursuant to section 4 of this act.**~~

35 (b) In an action brought by the district attorney of a county,  
36 must be deposited with the county treasurer of that county and  
37 accounted for separately in the county general fund.

38 2. Money in the account created pursuant to paragraph (b) of  
39 subsection 1 must be used by the district attorney of the county for:

40 (a) The investigation and prosecution of deceptive trade  
41 practices against elderly persons or persons with disabilities; and

42 (b) Programs for the education of consumers which are directed  
43 toward elderly persons or persons with disabilities, law enforcement  
44 officers, members of the judicial system, persons who provide social  
45 services and the general public.



1 3. The provisions of this section do not apply to:

2 (a) Criminal fines imposed pursuant to NRS 598.0903 to  
3 598.0999, inclusive; or

4 (b) Restitution ordered pursuant to NRS 598.0903 to 598.0999,  
5 inclusive, in an action brought by the Attorney General. Money  
6 collected for restitution ordered in such an action must be deposited  
7 by the Attorney General and credited to the appropriate account of  
8 the Consumer Affairs Division of the Department of Business and  
9 Industry or the Attorney General for distribution to the person for  
10 whom the restitution was ordered.

11 **Sec. 7.** NRS 598A.260 is hereby amended to read as follows:

12 598A.260 ~~[H]~~ All money obtained as awards, damages or  
13 civil penalties for the State of Nevada and its agencies by the  
14 Attorney General as a result of enforcement of statutes pertaining to  
15 unfair trade practices, whether by final judgment, settlement or  
16 otherwise, must be deposited in the ~~[State Treasury as follows:~~

17 ~~—(a) All attorney’s fees and costs and 50 percent of all recoveries  
18 for credit to the Attorney General’s Special Fund;~~

19 ~~—(b) The balance of the recoveries for credit to the State General  
20 Fund;~~

21 ~~—2. Money deposited in the State Treasury for credit to the  
22 Attorney General’s Special Fund pursuant to subsection 1 must be  
23 used for payment of the expenses of enforcing the statutes  
24 pertaining to unfair trade practices and NRS 228.500 to 228.640,  
25 inclusive. Those expenses which are in excess of the amount  
26 available in the Fund must be paid out of the legislative  
27 appropriation for the support of the Office of Attorney General.~~

28 ~~—3. On June 30 of each fiscal year, any amount in excess of  
29 \$450,000 in the Attorney General’s Special Fund of the money  
30 collected pursuant to subsection 1 reverts to the State General Fund.~~

31 ~~—4. The balance of the money in the Attorney General’s Special  
32 Fund that is collected pursuant to subsection 1 must not exceed  
33 \$500,000. If money deposited in the State Treasury for credit to the  
34 Attorney General’s Special Fund pursuant to subsection 1 would  
35 cause that balance to exceed \$500,000 if credited to the Fund, the  
36 amount of the deposit which would cause the balance to exceed  
37 \$500,000 immediately reverts to the State General Fund.]~~

38 *Consumer Protection Administrative Fund pursuant to section 4*  
39 *of this act.*



<b>Court Civil Forms Needed</b>	<b>Survey Results - Full Committee</b>	<b>Survey Results - Self-Help Staff</b>
Eviction tenant answer	5	2
Eviction landlord complaint	1	3
Claim of exemption	2	4
Fee waiver	4	1
Small claims	3	5



**ACCESS TO JUSTICE COMMISSION**

---

Statewide Technology and Forms Committee Call Recap  
Thursday, February 11 – 10 a.m.

**Present**

Judge Shirley  
Barbara Buckley  
James Conway  
Ricardo Cordova  
Craig Franden  
Mike McCallister  
Lauren Pena  
Emily Reed  
Jason Sowards

**Staff Present**

Brad Lewis

This was the second call of the Nevada Supreme Court Access to Justice Commission’s Statewide Technology and Forms Committee.

We first reviewed the key goals of the Committee:

1. Develop statewide recommendations for courts to make it easier for self-represented litigants (SRLs) to handle their cases.
2. Add forms most used by SRLs and instructions on how to use to the statewide website.
3. Assess and make recommendations related to SRLs filing electronically statewide.
4. Focus on equal access and easy use technology.

We then reviewed “most used forms” survey result:

<b>Court Civil Forms Needed</b>	<b>Survey Results - Full Committee</b>	<b>Survey Results - Self-Help Staff</b>
Eviction tenant answer	5	2
Eviction landlord complaint	1	3
Claim of exemption	2	4
Fee waiver	4	1
Small claims	3	5



Brad shared with group that we did not receive the \$20k American Bar Endowment Opportunity Grant.

Our discussion led to a recommended plan for next steps:

- Establish a drafting committee of 3-5 individuals to begin form drafts for consideration
  - Drafting committee will be comprised of James Conway, Lauren Pena, Ricardo Cordova and a rural court representative
- First will be eviction forms – tenant answer, landlord complaint and fee waiver
- The goal will be to draft the forms by mid-March for sharing with wider input/buy-in group
- Further investigation should be done on form templates such as Hot Docs and Google docs, etc.
- Cost support for electronic filing should be investigated

Key ways the Access to Justice Commission can support the Committee's efforts:

- Assure agreed-upon forms will not be rejected by courts when finalized. Support mandatory statewide acceptance.
- Commit to supporting the Committee by naming a Justice Court judge to solicit input, then buy-in from all justice courts statewide that the forms may be used in their jurisdiction.
  - Open to best candidate. Randall Soderquist, Justice of the Peace in Elko County, was suggested for consideration.
- Getting agreed-upon forms placed on [State of Nevada Self-Help Center \(nvcourts.gov\)](http://nvcourts.gov)

There were issues raised, including:

- Efiling has high up-front costs
- Form changes, particularly those which also include filing, are difficult for limited-resource IT departments to keep up with. It was suggested to keep form changes to a minimum and only when absolutely necessary.
- A variety of Case Management Systems (CMS) may make generalized Application Programming Interfaces (API) tricky.

There were opportunities raised, including:

- Pursuing relaxed filing requirements such as:
  - Wet signatures
  - Emailing to file
- Using Google docs, Hot Docs or some other type of form-building product, with or without Efile ability could be pursued.
- Guide without file, however, falls short. The goal is both guide and file – though the “file” part requires a significant hard dollar investment.
- Gain information on potential funding.

## **Statewide Forms and Technology Drafting Committee Co Chair Report –**

From James Conway and Lauren Pena

Brad:

Lauren Pena and I met to discuss a possible draft of statewide forms for use in summary eviction cases. However, in addition to discussing the contents of potential statewide forms, we also discussed the feasibility of rolling out statewide forms along with statewide use of the Odyssey Guide & File product. Guide & File (as the name suggests) is designed to allow self-represented litigants to complete court forms by answering a set of questions/prompts and, after the form is complete, automatically file the form in the correct court. Although (due to disparate case management systems at use in various courts across the state) this product cannot be used to file documents state-wide, it is feasible to use the product to complete court forms that could then be printed and filed by traditional means (in-person filing, mail, e-filing, etc.) in any Justice Court. We would, in essence, use the “Guide” part of Guide & File, without using the “File” part of it. As the Guide & File product is already in use in Clark County, the only issues with rolling it out statewide would be (1) agreeing on the content of a statewide form (2) mandating the acceptance of the form in every jurisdiction and (3) including a link to the statewide Guide & File website on the websites of the various courts, self-help centers, etc. across the state. After our conversation, I experimented with the Guide and File product at use at the Civil Law Self-Help Center, and I generated a fake Tenant’s Affidavit and Fee Waiver Application (attached) as if I were a self-represented litigant in Las Vegas Justice Court. The next step in the process is to compare the contents of the attached forms with the same forms that are currently in use in Reno Justice Court and other Justice Courts to determine if there are any material differences.

NEVADA SUPREME COURT

ACCESS TO JUSTICE COMMISSION

	LAST	FIRST	TITLE	POSITION	RULE SLOT/ N (North) or S (South)	SCR 15	Term Exp.
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.	Mendoza	Victoria		Exec. Dir.	VARN/N	2(e)	7/1/22
4.	Desmond	John		Representative	Washoe County Bar/N	2(f)	7/1/22
5.	Robb	Bridget	Hon.	District Ct. Judge	Second JDC/N	2(a)	7/1/21
6.	Contine	Deonne		Exec. Dir.	Washoe Legal Services/N	2(e)	7/1/22
7.	Johnson	Annamarie		Exec. Dir.	Nevada Legal Services/S	2(e)	7/1/22
8.	Danna	Nic		Special Assistant AG Director of the Office of Military Legal Assistance	Nevada Attorney General/N	2(d)	7/1/22
9.	Malgeri	Noah		Pro Bono Project Director	LACSN/S	2(e)	7/1/22
10.	Cavanaugh-Bill	Julie		Representative	State Bar of Nevada/N	2 (f)	7/1/21
11.	Shinn	Stacey		Representative	Layperson/N	2(h)	7/1/21
12.	Sullivan	Frank	Hon.	Representative	Clark County Bar Association/S	2(f)	7/1/?
13.	Traum	Anne		Faculty Representative	UNLV Boyd School of Law Clinical Program/S	2(g)	7/1/22
14.	Vogel	Sugar		Exec. Dir.	SNSLP/S	2(e)	7/1/22
15.	Sullivan	Greer		Student Rep.	UNLV – PILA, President/S	2(g)	4/15/21
16.	Akridge	Connie		501(c)3 Rep.	Nevada Bar Foundation/S	2(e)	7/1/21
17.	Tully	Adam		Young Lawyers Rep.	SBN Young Lawyers Section/N	2(g)	7/1/21
18.	Kishner	Joanna	Hon.	District Ct. Judge	Eighth JDC/S	2(a)	7/1/21
19.	Steinheimer	Connie	Hon.	Representative	At Large Representative/N	2(i)	7/1/22
20.	Tiras	E. Alan	Hon.	Incline Village JP	Limited Jurisdiction Judge/N	2(c)	7/1/21
21.	Schlegelmilch	John	Hon.	District Ct. Judge	3rd JDC/N	2(b)	7/1/21
22.	Stockard	Tom	Hon.	District Ct. Judge	10th JDC, Churchill County/N	2(i)	7/1/21
23.	Young	Nathan Tod	Hon.	District Ct. Judge	9 <sup>th</sup> JDC, Douglas County/N	2(i)	7/1/21
23.	McEllistrem	Joseph	Dr.	Representative	Layperson/N	2(h)	7/1/22
24.	Spears Hartwell	Doreen		Representative	At Large Representative/S	2(i)	7/1/22
25.	Shortridge	Raine		Nevada State Bank	At Large Representative/S	2(i)	7/1/21
26.	Bembry	Latoya		The Ferraro Group	Non-Attorney/S	2(h)	7/1/21
27.	Bond	Bobbette		Culinary Union	Non-Attorney/S	2(h)	7/1/21
28.	Stevens	Glen		United Healthcare/Sierra	Non-Attorney (G. Stevens, Esq.)/S	2(h)	7/1/21
29.	Kelly	Bronagh		Young Lawyers Rep.	SBN Young Lawyers Section/N	2(g)	7/1/21
30.	Cadish	Elissa	Justice	At Large	At Large Representative/S	2(i)	7/1/23

\*ADKT 0537 amending SCR 15 was filed 12/20/18, ordered 1/14/19. Order modified 2/20/19.



**Reno Office**  
204 Marsh Ave.  
Reno, NV 89509  
Phone (775) 284-3491  
Toll Free (800) 323-8666  
Fax (775) 284-3497

Carson City Office  
209 No. Pratt Ave.  
Carson City, NV 89701  
Phone (775) 883-0404  
Fax (775) 461-7237

Yerington Office  
720 Main St., Unit A  
Yerington, NV 89447  
Phone (775) 463-1222  
Fax (775) 463-1212

Elko Office  
285 10th Street  
Elko, NV 89801  
Phone (775) 753-5880  
Fax (775) 753-5890

Las Vegas Office  
530 South Sixth Street  
Las Vegas, NV 89101  
Phone (702) 386-0404  
Toll Free (866) 432-0404  
Fax (702) 388-1641

Administrative Office  
701 E. Bridger, Ste. 700  
Las Vegas, NV 89101  
Phone (702) 386-0404  
Fax (702) 388-1641

DATE

JUDGE

ADDRESS1

ADDRESS2

**Re: Unbundled Pro Bono Services**

Dear Judge NAME:

I am writing today on behalf of the Nevada Legal Services Pro Bono Program. It has been a struggle to place pro bono cases with volunteer attorneys, especially in rural jurisdictions, for extended representation in cases involving litigation. This is especially true with contested family law matters. One of our dedicated pro bono volunteers, Bob Cerceo, recently broached the availability of unbundled representation of pro bono clients with me and indicated how much easier it would be for pro bono volunteer attorneys to take cases in contested litigation matters if the attorney knew their services were for a discrete time period – a settlement conference or one motion hearing.

Nevada Legal Services relies heavily on our pro bono volunteers to supplement the services our staff attorneys can provide to our low income clients. Nevada Legal Services has limited resources and is unable to provide a staff attorney for every client who comes to us for help. Thus, we recruit generous pro bono volunteers from the communities we serve to agree to assist our low income clients for free or a reduced fee reimbursed by Nevada Legal Services. Still we find it extremely difficult to place contested family law matters or cases involving extensive litigation with attorneys due to the uncertain time commitment that would be required of them should they agree to representation and enter their appearance on behalf of a pro bono client.

Therefore, I would like to request that the Court allow our pro bono volunteers to accept cases in an unbundled capacity. This would entail the court allowing them to enter into limited retainers with their pro bono clients and allow them to seek withdrawal when the scope of services agreed upon by the pro bono attorney are complete. I would be more than happy to assist the Court draft a new local rule if this would be acceptable as well. The Eighth Judicial District adopted a limited representation rule for pro bono services in 2017 and might provide a model for any such rule the court might adopt.

I would love to talk with you more about an unbundled services rule and how this would help our pro bono services. Please let me know if I can be of any assistance to the Court moving forward with this as well. You may reach me at my direct line (775) 334-3055.

Sincerely,

Rhea Gertken, Esq.  
Directing Attorney, Northern Offices

Enclosure: EDCR 5.209

**Rule 5.209. Withdrawal of attorney in limited services (“unbundled services”) contract.**

(a) An attorney who contracts with a client to limit the scope of representation shall:

(1) State that limitation in the first paragraph of the first paper or pleading filed on behalf of that client; and

(2) Notify the court of that limitation at the beginning of each hearing in which the attorney appears for that client.

(b) Unless otherwise ordered by the court, to withdraw from representation of a client in limited services, an attorney shall:

(1) File a Notice of Withdrawal of Attorney specifying the limited services that were to be completed, reciting that those services were completed, and identifying either the name of successor counsel or the address and telephone number of the client in proper person. The attorney must serve a copy of the notice upon the client and all other parties to the action.

(2) Complete all services required by the court before filing a Notice of Withdrawal.

(3) Specify, in the withdrawal, at what point in time or proceeding the opposing party may directly contact the party represented by the withdrawing attorney.

(c) Except by specific order of court, no counsel shall be permitted to withdraw within 21 days prior to a scheduled trial or evidentiary hearing.

(d) Any notice of withdrawal that is filed without compliance with this rule shall be ineffective for any purpose.

[Added; effective January 27, 2017.]

**CLE for Pro Bono Statistics**

Statistic >>>	Year	# of attorneys earning credit	# of credit hours earned	# of "new" pro bono attorneys	# of "new" pro bono attorney hours
<b>Please Note: #s are aggregate by column. Columns may not be added together or double counting will occur.</b>					
<b>Provider vvv</b>	<b>2020</b>				
Legal Aid Center of Southern Nevada		467	1243		
Nevada Legal Services - South		58	143	20	39
Nevada Legal Services - North		26	80	5	16
Washoe Legal Services		27	441	21	300
Volunteer Attorneys for Rural Nevadans (VARN) N/A					
Southern Nevada Senior Law Program N/A					
Second Judicial District Court		13	25		
<b><u>Total for 2020</u></b>		<b><u>591</u></b>	<b><u>1932</u></b>	<b><u>46</u></b>	<b><u>355</u></b>

## **CLE for Pro Bono Outcomes Comparison**

Oregon 2017, first full year, ~10 lawyers claimed credit

Tennessee Five year results average 1928-3780

Wisconsin 2017-2018 159 lawyers claimed 598 hours of CLE representing 2,990 hours of pro bono ser



## Access to Justice Highlights 4th Quarter 2020

---

### HIGHLIGHTS

---

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

---

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

###### *Community Trainings*

We organized and hosted 2 virtual eviction trainings for community partners and housing advocates for a total of 6 different live sessions. The 1<sup>st</sup> training was in October 2020 and covered the CDC Moratorium. We had approximately 195 participants. The 2<sup>nd</sup> training was in December 2020 and Nevada's eviction ban and responding to eviction notices. We had approximately 50 participants.

###### *Virtual In-House Production*

We produced our first ever virtual 20<sup>th</sup> Annual Pro Bono Awards. The outreach team worked closely with the pro bono team and administration on the script, production flow, obtaining videos and photos from volunteers, and creating our own videos. Jared edited the entire program in-house. The program premiered to 275 viewers. The program, which is housed on our YouTube channel, has had 759 views to date.

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

We continue to update the Legal & Financial Toolkit with important information about the state of the eviction moratorium, housing assistance programs, debt collection and community resources. We are also updating eviction materials in English & Spanish which we share with community partners. These materials are housed on our COVID-19 resource webpage and include a tenant's instruction guide for the declaration, 1 page resource flyer, and a FAQ sheet.

We collaborated on the Vegas PBS 3<sup>rd</sup> Anniversary Special which has aired numerous times on television, including a Los Angeles PBS station. Locally, the online program has had more than 1,012 views.

In October, we finalized and had the soft launch of RISE – an app made possible by Believe Las Vegas and a collaboration with Clark County Step Up Program. The app is available on Google Play and the App Store. We are currently working closely with the PR teams for AT&T and the County to develop a marketing plan after we receive feedback from real users (older foster youth/homeless youth).

We are making improvements to the Vegas Strong Resiliency Center website such as an easier to use calendar of events; more comprehensive resource information including multiple options for integrative services; trauma coping tips; tips for supporting loved ones; and out of state resources.

We are slowly moving forward with the TPO video project. We have confirmed production assistance from Vegas PBS, we selected our talent from in-house (Danyell & Carmen) and the script for the 1<sup>st</sup> video (How to Apply for a TPO) is completed in English. The Spanish translation is nearly completed. Next steps are finding graphics.

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 (no longer phone calls) 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.

**Social Media:**

We have 8 social media channels (5 for Legal Aid Center – 3 for Vegas Strong Resiliency Center). Every channel continues to increase in followers:

*Legal Aid Center*

Facebook: 4,234      Twitter: 1,415      Instagram: 413      LinkedIn: 831  
YouTube: 383

*Vegas Strong Resiliency Center*

Facebook: 2,762      Instagram: 743      YouTube: 5

In addition, we have established a Legal Aid Center Pro Bono Project Eventbrite page to showcase CLEs and other events. We also established a Vegas Strong Resiliency Center Eventbrite page.

We produced several videos during this quarter that are housed on our YouTube channel:

- Partners in Pro Bono with Noah & Dean Smith:  
<https://www.youtube.com/watch?v=MzxQpTIayMc&t=15s>
- Mona Kaveh on the Importance of Pro Bono:  
<https://www.youtube.com/watch?v=9JTYUVH1gpE>
- The CDC Eviction Order: What is It, Who Can Use It, When and How?:  
<https://www.youtube.com/watch?v=KFn7ax0WHsA&t=198s>
- What to Know About Evictions: <https://www.youtube.com/watch?v=8HPnqiSh0D0>
- Children’s Attorneys Project Overview: <https://www.youtube.com/watch?v=2RbkbM0LYu4>
- Press Briefing on Nevada Eviction Moratorium:  
<https://www.youtube.com/watch?v=9kch9mRvgug&t=3s>
- Preventing Evictions During COVID: How to Help Tenants:  
<https://www.youtube.com/watch?v=THNyhPfs-DM>

**Virtual Community Outreach Events – 22 in 4<sup>th</sup> Qtr:**

10/1/20: Christine gave a legal services presentation to Title I Hope Community Training event.

10/2/20: Taylor did an eviction/CDC moratorium training for community partners.

10/2/20: Venicia presented to League of Women Voters.

10/5/20: Amy Connell participated in a virtual event promoting legal services & education advocacy for Communities in Schools.

10/8/20: Aaron conducted eviction training for community partners via Ring Central.

10/8/20: Chris participated in Facebook Live panel event sponsored by the City of Las Vegas and Make the Road Nevada on evictions.

10/13/20: Morning eviction training for community partners.

10/13/20: Afternoon eviction training for community partners.

10/21/20: Amy Connell participated in a virtual community resource fair hosted by Communities in Schools.

10/23/20: Chris participated in a virtual presentation on evictions for the Asian American Advocacy Clinic.

10/27/20: National Pro Bono Celebration Ask-A-Lawyer event from 10am – 1pm. Cindy reported 55 clients received phone consultations (39 – evictions; 9 – unemployment; 7 – bankruptcy).

11/14/20: Bryan participated in a remote outreach hosted by Nevada Immigrant Coalition.

11/16/20: Chris gave eviction training for Arriba Las Vegas Workers Center

11/17/20: Christine gave presentation to Southern Nevada Regional Housing Authority's Program Coordination Committee

11/21/20: Chris recorded Facebook video on evictions for Arriba Las Vegas Workers Center that was premiered on 11/21/20.

12/3/20: Chris recorded video on CDC Declaration for Arriba Las Vegas Workers Center's FB page which will be premiered on 12/6/20

12/4/20: Jim presented on evictions at Senator Cortez Masto's Nevada Housing Roundtable

12/6/20: Venicia presenting to Nevada NOW on evictions

12/18/20: Eviction Training to community partners on recent updates with Nevada's eviction moratorium (Jim & Lauren)

12/21/20: Eviction Training to community partners on recent updates with Nevada's eviction moratorium (Aaron)

12/22/20: Eviction Town Hall with Commissioners Jones & Segerblom on recent updates with Nevada's eviction moratorium (Bailey)

12/22/20: Spanish language Eviction Town Hall with Commissioners Jones & Segerblom on recent updates with Nevada's eviction moratorium (Enrique)

## Consumer Case Highlights

---

Legal Aid Center of Southern Nevada represented Abai Toung, a former CAP client, in a lawsuit against a used car dealer. Abai is 19 years old and a first-time car buyer. She went to the dealership to purchase a vehicle on credit. After browsing the lot, she set her sights on a used 2011 Honda CR-V. She entered into negotiations with the dealership and bought it.

Days after, the used car dealer demanded she return the CR-V due to a "DMV audit." In reality, there was no DMV audit. The dealership just wanted her to return the vehicle so they could force her to sign a second contract on less favorable terms than the first. Not knowing any better, Abai signed.

Abai asked to take the CR-V back, but the used car dealer refused. The dealer said that Abai's financing fell through and that she would not get her money back unless she purchased another car. Not wanting to lose her \$2,000 down payment, she agreed to sign a third contract for the purchase of a used 2012 Kia Forte.

Shortly after purchase, Abai discovered the Kia was not safe to drive. Abai sent a letter to the dealer demanding her money back in exchange for the vehicle. At the same time, the used car dealer rescinded the contract for the sale of the Kia. Under Nevada law, the dealer was to return the down payment to Abai, but it refused to do so.

We sued and settled the case for \$10,000.

## Guardianship Advocacy Project Case Highlights

---

Mr. Smith\* is a 45 year old single man. His mother, Sheila Smith, filed for guardianship of his person and estate. The Court appointed Legal Aid Center of Southern Nevada to represent Mr. Smith in the guardianship case.

In her Petition for Guardian over Adult, Sheila claimed Mr. Smith was being abused, isolated, and neglected and that he suffered from schizophrenia and bipolar disorder. She further alleged that Mr. Smith named her Power of Attorney for medical and financial purposes in August.

Legal Aid Center counsel met with Mr. Smith. He told his attorney that he had a longtime girlfriend and that she recently began playing a greater role in his decision-making. He believed his mother, Sheila, had become upset about that, and doesn't like his girlfriend. Mr. Smith assured his Legal Aid Center attorney that he trusted his girlfriend to help him with his finances, and that she was very involved in his medical treatment and needs. Mr. Smith denied that he suffered from schizophrenia or bipolar disorder as Sheila contended. Rather, he was diagnosed with cerebral palsy and seizure disorders, and that his seizures would cause him to experience extreme reactions to physical touch. He felt that his mother was wholly uninterested and unprepared to deal with his seizures, whereas his longtime girlfriend had seen him through several incidents. He opposed the Guardianship in its entirety. Mr. Smith told his attorney that if the Court was inclined to appoint a guardian, he preferred to have his longtime girlfriend serve.

As Legal Aid Center counsel began to prepare a strategy on behalf of Mr. Smith, she discovered that this guardianship petition was the fourth such attempt by his mother to be appointed as his guardian. She previously applied in 2010, 2016 and 2019. All of the previous attempts had been dismissed for failure to provide any medical proof that a guardianship was needed, and in one case, a physician's certificate recommended guardianship was NOT needed. At the citation hearing in the 2020 case, Mr. Smith's attorney opposed Sheila's petition and advised the Court of the other unsuccessful attempts at guardianship from years past. The Court denied the Petition.

Since the hearing, Mr. Smith proposed to his longtime girlfriend. At his request, the Legal Aid Center attorney assisted Mr. Smith in executing new Powers of Attorney (for both medical and financial powers) naming his girlfriend/fiancé as his agent. Mr. Smith feels that he is better protected, and is working on moving to a bigger place. He is grateful for his attorney's advocacy.

## Family Justice Project Case Highlights

---

We represented a TPO client in court. The husband was physically abusive, verbally abusive, and controlling of both our client and finances. Adverse party filed for a TPO against client, claiming that she had broken his hand and had mental health issues that made her a threat to herself, her husband, and their three year old son. He was granted temporary custody and possession of the residence. Our client was pinned to the floor by adverse party – leaving bruises on her shoulder for weeks. He began screaming at

her that he wished she was dead and locked her in the closet upstairs. After the incident, adverse party called client an Uber and sent her to the Mirage to “calm down.” He then cancelled all of her credit cards and locked her out of the home. She was stranded on the Strip and was unable to file for a TPO until a week later when her friend arrived from Costa Rica to help her. Adverse Party had already been issued the TPO. At the hearing, we were able to successfully argue that Adverse Party was the perpetrator of domestic violence. Through the use of video recordings and voice recordings, we successfully argued that Adverse Party’s claims were contradictory and not-credible. Adverse Party’s protection order against our client was dissolved and our client was granted a one-year extension. Client was also awarded temporary custody of the child with no visitation for the father and the ability to use a police escort to pick-up the child.

## Immigration Case Highlights

---

Assisted a former DACA client in obtaining their certificate of citizenship. A few years ago we met with a DACA renewal applicant regarding his DACA. Through the meeting, we found out his father is actually a US Citizen born in the US. The client was born out of wedlock in Mexico and did not really have much of a relationship with his father. He came to the United States with his mother when he was very young and has never left. When he was only 9 years old, his mother was deported to Mexico and he has lived with extended family and friends ever since. He is 21 now and has a job and is going to UNLV while living with his friend’s family. He had not seen his mother since she was deported.

We researched the requirements to ensure the client qualified as a citizen. It was very difficult to obtain the requested documents from the father because we needed to show physical presence of the father in the United States after the age of 14. The father had dropped out of school at an early age and only worked with his father with no solid proof other than statements. After a lot of back and forth and brainstorming, we were able to obtain sufficient proof of father’s presence in the United States. Furthermore, we needed to show that the child was legitimized before he was an adult and was provided for by the father. We contacted the court where his mother lived when she was in the United States and found out she did start a child support case many years ago in which the child was legitimized by DNA testing and court ordered child support! We were able to obtain court certified copies of the orders. We included plenty of evidence of the elements in our application.

This case was pending for a very long time, once it was outside of the wait times, we kept hounding USCIS to give us updates. Finally, our client received his certificate of citizenship right before Christmas and was able to finally travel to see his dear mother after being apart for so many years.

## Children’s Attorneys Project Case Highlights

---

Annie has been in DFS custody since October 2018. She originally came into care because NM disciplined her too harshly when a garage door hit her on the head. Annie was 8 when she was first removed and she had a 16 year old sister who was not removed from NM because DFS did

not feel that she was in any danger. The initial file notes indicated a likelihood that Annie would soon be returned to NM's care. Annie's father is deceased. Annie was placed with a paternal uncle, who was in favor of Annie going back to NM. Annie also wanted to go back to NM.

In the beginning, NM was talking to Annie every day and visiting regularly. NM was on probation and ended up violating probation and being incarcerated. When the paternal uncle realized that the placement was going to be longer than he anticipated, he decided her could not continue to keep Annie's placed with him because his own daughter was turning 17 and he and his wife did not want to be tied down with another child. Annie's grandmother was explored as a placement option and Annie spent extended visits with her, but her grandmother ended up moving into a senior apartment complex with the grandmother's sister and could not have Annie live there with her.

NM was released from jail, but did not do anything to work her case plan. In December 2019, Annie was placed with her current foster family. They are an adoptive resource. Annie bonded with them over the first couple of months and soon wanted to be adopted by them. They also want to adopt her. An initial TPR was set in February 2020 and a trial date scheduled in April 2020. The trial did not proceed as scheduled. NM's attorney successfully requested a continuance of the trial date over my objection. The DA was relatively new and did not object to the continuance. The trial was continued to June 1, 2020 and on that date NM's attorney reported that she was quarantined with covid so the trial was continued again. It was reset for July 27th. On that date it was continued because another case that was also scheduled for trial was older. It was rescheduled again in August and on that date NM represented to the court that she had another matter for a DUI in Utah on the same date and she could not be present. The court refused to proceed with a prove up and it was later learned that NM had lied about the appearance in Utah. I advised NM's attorney that I intended to file a motion to hold NM in contempt of court for the false statements she made directly to the court on the day of her trial. Each time there was a continuance Annie would become very despondent, fearing that she would have to go back to NM. A trial date was again set for October, 2020. NM's attorney stated that she had spoken to NM about a relinquishment, but NM was reluctant to agree; however NM had been rearrested and was aware that this made her case worse. NM's attorney asked if I would be willing to speak with NM about her daughter and relinquishing. I agreed to speak with her. Over the course of the next several weeks I had many conversations with NM encouraging her to relinquish her rights to Annie and acknowledging that she loved her and this would be the most selfless thing she could do for her daughter. She ultimately agreed to relinquish her parental rights with an OAA. I also spoke to the adoptive resource and NM and assisted in working out the terms of the OAA.

Once the agreement was reached there were additional challenges getting DFS to go to CCDC to take the relinquishment. It was necessary to request that the court order that it be completed by a day certain. The relinquishment and OAA were finally executed at the end of October, 2020 and now I have been focused on getting DFS to prepare the adoption packet. I have followed up every week with the worker and her supervisor. Just this week, Minnie Hill was assigned to assist in getting the adoption packet together. I spoke with Minnie yesterday and she assured me that she would have everything together by the end of this week. I feel that someone is finally really working to get this completed for Annie.

This has been a long road. I believe that if it were not for my presence in the case and active involvement, that this matter would still be awaiting the TPR trial.

## **Education Advocacy Program Case Highlights**

---

Eduardo Gurroula is a 15 year old boy diagnosed with Autism Spectrum Disorder. Eduardo was participating in Autism Court due to multiple interactions with law enforcement. Over the past year, Eduardo's mental health had deteriorated to the extent that his mother feared for her son's safety. Eduardo had been acutely hospitalized multiple times but the family still did not see any improvement in behavior. Intensive services were put in place to assist in maintaining safety in the home and support the mother who was overwhelmed. Eduardo would not sign into schooling and would sit in his room all day where the smallest interaction with his family would cause Eduardo to be aggressive and dysregulated. We worked with Desert Regional Center to get the proper evaluations to get Eduardo enrolled at a Residential Treatment Center. CCSD, per long standing policy, just automatically withdraws students who need residential placement and refuses to make any determination regarding residential schooling contrary to federal law. Consequently, CCSD has no responsibility to monitor or finance RTC placement. Our department filed a due process complaint against the school district. The case was resolved and the school district agreed to re-enroll Eduardo, monitor his placement, and be a part of discharge planning. We are also helping the family adjust their immigration status.

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

---

Ms. Miller\* recently moved to accept new employment. However, the pandemic caused her to lose her job just a few months later. Ms. Miller is a single mother, who was now in an unfamiliar place, without her normal support systems and unemployed. Not knowing where to file for unemployment benefits, Ms. Miller filed with the wrong program and received a rejection notice. Thinking she was not eligible, Ms. Miller tried to rely on savings and help from family to make ends meet, but soon found bills piling up that she could not manage. Ms. Miller reached out to the Resiliency Center seeking emergency financial assistance. After speaking with the legal advocate, Ms. Miller was referred to the Center's staff attorney who reviewed her unemployment status and determined she would be eligible under another program. Ms. Miller was approved for emergency financial assistance in order to avoid acute negative circumstances, and was walked through the appropriate unemployment program to start receiving benefits with back-dated payment. Ms. Miller now has a safety net to help manage while she looks for employment during the pandemic.

\*names have been changed to protect confidentiality

---

# PRO BONO PROJECT

---

## **Fourth Quarter 2020 Pro Bono Project Highlights:**

### **I. Case Placements:**

During Q4 of 2020 we placed 158 cases with 137 unique attorney volunteers:

- October - 52
- November - 71
- December - 35

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

October 9th Family Law, Child Support

October 23rd CAP Intro

October 16th CAP Supplemental

November 20<sup>th</sup> CAP Supplemental

November 13<sup>th</sup> Immigration U Visa Basics

December 3rd Peter Aldous What to do when your client file bankruptcy so you still get paid

December 4th CAP Intro

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

October: Michelle Darquea

November: Shaina Plaksin

December: Charles LoBello

### **IV. Pro Bono Firm and Bar Section Meetings:**

- November 5 – Latino Bar Meeting
- November 18 – Civil Judges’ Meeting
- December 3 – CAP Dependency Bench Bar
- December 10 – Family Bench Bar

## STATS

Consumer Rights Project - Cases Quarterly Stats					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr*	4 <sup>th</sup> Qtr	TOTALS
Number of cases opened in quarter	522	988	5428	6383	13321
Number of cases closed in quarter	633	815	5319	6527	13294
Total Active cases through end of quarter	400	484	577	448	
Unemployment Culinary Assistance Program		2046	2152	1454	5652

Social Security Project Cases - Quarterly Stats					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	TOTALS
Number of cases opened in quarter	41	35	42	64	182
Number of cases closed in quarter	33	31	54	84	202
Total Active cases through end of quarter	153	158	145	127	
Social Security Hotline Calls	329	232	142	208	911

Guardianship Advocacy Project – Quarterly Stats					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	TOTALS
Number of cases opened in quarter	220	154	173	162	709
Number of cases closed in quarter	212	108	154	163	637
Total Active cases through end of quarter	1899	1947	1958	1954	

Minor Guardianship Advocacy Project – Quarterly Stats					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	TOTALS
Number of cases opened in quarter	32	64	134	124	354
Number of cases closed in quarter	0	8	38	92	138
Total Active cases through end of quarter	34	95	191	223	

Family Justice Project Cases - Quarterly Stats					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr*	4 <sup>th</sup> Qtr	TOTALS
Number of cases opened in quarter	482	444	2335	1905	5166
Number of cases closed in quarter	581	434	2294	1983	5292
Total Active cases through end of quarter	629	316	358	281	

\* We began inputting all requests for help through our case management system rather than separate call logs.

Immigration - Quarterly Stats					
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	TOTALS
Number of cases opened in quarter	105	102	166	147	520
Number of cases closed in quarter	127	49	185	144	505
Total Active cases through end of quarter	804	795	779	772	
Immigration Hotline Calls	263	292	430	355	1340

<b>Children's Attorneys Project Cases Quarterly Stats</b>					
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>TOTALS</b>
Number of cases opened in quarter	296	188	219	285	988
Number of cases closed in quarter	236	239	316	317	1108
Total Active cases through end of quarter	1705	1675	2391	1732	
<b>Education Advocacy Program Cases Quarterly Stats</b>					
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>TOTALS</b>
Number of cases opened in quarter	26	25	19	20	90
Number of cases closed in quarter	49	20	29	24	122
Total Active cases through end of quarter	121	186	115	112	
<b>Volunteer Education Advocate Program Cases Quarterly Stats</b>					
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>TOTALS</b>
Number of cases opened in quarter	41	13	16	18	88
Number of cases closed in quarter	7	60	21	42	130
Total Active cases through end of quarter	233	125	181	157	

<b>Civil Law Self-Help Center Quarterly Statistics</b>					
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>TOTAL</b>
Number of clients served	9524	5669	9496	12424	37113

<b>Family Law Self-Help Center and TPO Quarterly Statistics</b>					
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>TOTAL</b>
Number of clients served	16678	20549	19370	17833	74430

<b>Vegas Strong Resiliency Center</b>					
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>TOTAL</b>
Number of clients served	696	1427	1515	1230	4868

<b>Community Legal Education Program Attendance Statistics</b>					
<b>CLASS</b>	<b>JAN. - MAR.</b>	<b>APR. - JUNE</b>	<b>JULY - SEPT.</b>	<b>OCT. - DEC.</b>	<b>TOTAL FOR YEAR</b>
Divorce	172	73	62	39	<b>346</b>
Paternity/Custody	97	15	29	32	<b>173</b>
Guardianship	57	28	37	21	<b>143</b>
Spanish Family Law	30	1	0	0	<b>31</b>
Bankruptcy	100	14	31	15	<b>160</b>
Spanish Bankruptcy	9	0	0	1	<b>10</b>
Small Claims	115	18	43	24	<b>200</b>
Collection Proof	17	26	4	8	<b>55</b>
Family Law Litigation & Trial Prep	50	0	84	85	<b>219</b>
Immigration English	57	5	11	0	<b>73</b>
Immigration Spanish	61	0	4	0	<b>65</b>
<b>TOTALS</b>	<b>765</b>	<b>154</b>	<b>221</b>	<b>225</b>	<b>1475</b>

<b>Pro Bono Project Case Statistics by Quarter</b>					
	<b>1Qtr (Jan - Mar)</b>	<b>2Qtr (Apr - Jun)</b>	<b>3Qtr (Jul - Sep)</b>	<b>4Qtr (Oct-Dec)</b>	<b>TOTAL</b>
Number of cases placed	161	140	156	147	<b>604</b>
Number of unique attorneys who accepted a new case	149	114	136	137	<b>536</b>
Number of cases closed	65	116	83	131	<b>395</b>

<b>Ask-A-Lawyer Pro Bono Project Quarterly Statistics (All Programs Combined)</b>					
	<b>1Qtr (Jan - Mar)</b>	<b>2Qtr (Apr - Jun)</b>	<b>3Qtr (Jul - Sep)</b>	<b>4Qtr (Oct - Dec)</b>	<b>TOTAL</b>
<b>Total Clients Served</b>	712	564	1109	923	<b>3308</b>
<b>Total Events Held</b>	49	30	40	37	<b>156</b>
<b>Total Unique Attorney Volunteers</b>	120	99	117	139	<b>475</b>
<b>Total Volunteer Hours</b>	342	270	428.5	456.2	<b>1496.7</b>



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

## 2020 Year End Service Data

### Totals

8580 total clients  
 1636 child ad  
 1355 adult guardianship  
 369 Immigration  
 2480 consumer and housing  
 1397 self help  
 1343 other

### Outcome

Closed Reason	
A - Counsel and Advice	878
B - Limited Action/Brief Service	2149
Client Withdrew, Lost Contact	181
Conflict-Unable to assist	13
Court Decision	516
Deselected or Rejected (Not Eligible)	11
F - Negotiated Settlement Without Litigation	89
G - Negotiated Settlement With Litigation	13
H - Administrative Agency Decision	69
IA - Uncontested Court Decision	234
IB - Contested Court Decision	90
Insufficient Merit to Proceed	39
K - Other	84
Referral or Information Only	1477
Other	2737
	8580

## Practice Area Summary

### Housing & Consumer Protection

In 2020, 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.

WLS continues to stay connected with various partners related to housing issues as the eviction moratorium has been extended. During this period, we met with our statewide partners to collaborate on the ever-changing landscape related to evictions and COVID 19. We also participated in feedback sessions regarding the effectiveness of the eviction mediation program with Access to Justice staff and worked to develop a strong working relationship with the Reno Housing Authority to create connections that will allow us to pass on information on housing policies and procedures quickly and easily to our clients.

In 2020, we served 1725 clients on housing and foreclosure related issues, which included 1247 in private landlord/tenant disputes, 67 mortgage foreclosures (not predatory lending/practices), and six with housing discrimination disputes, among others. Additionally, we served another 109 clients in homeownership/real property non-foreclosure related matters.

As for non-housing consumer and finance related issues, in 2020, we served 397 clients, including 93 collections/repossession/deferment/garnishment matters, 40 contract disputes, 25 bankruptcy/debtor relief actions, six with identity theft issues, eight in public utilities disputes, and 15 tax related issues, among others.

#### *Case Highlights*

- The client received an eviction notice based on unlawful subletting that was an obvious pretext for non-payment of rent. However, the client was in the hospital due to childbirth complications when their landlord served the 5-day Unlawful Detainer notice. The tenant showed the 5-day UD to a non-lawyer authority figure who told her that because it wasn't signed, it wasn't a "legal notice." Relying on this advice, the tenant did nothing and was locked out of the home by the sheriff, along with her newborn and 5 other kids on September 20, 2020. WLS assisted the client in filing a motion to set aside the eviction. A hearing on the motion to set aside was held within 48 hours of filing our motion, on October 2, 2020. At the hearing, the judge ruled that the landlord did know that the Tenant was subletting as there were text messages indicating he knew and agreed to let the tenant live there. Also, there was evidence that the landlord had accepted rent from the tenant on more than 5 occasions. The landlord had started the eviction when the tenant stopped paying rent, despite the state's moratorium on non-payment evictions. The judge ordered the tenant and her children to be restored to the premises by October 3, 2020.
- WLS represented tenants in two no-cause evictions as filed by Siegel Suites (one case was for a property in Sparks, Nevada, and the 2nd for a motel located in Reno, Nevada.) Both no-cause evictions were filed during Nevada's moratorium on evictions for non-

payment of rent. At the hearing, evidence was presented in each case that Siegel was really attempting to evict for non-payment. Each Court held that the no-cause eviction was filed as a subterfuge and thus eviction was denied: the Court agreed that the landlord had the right to commence a no-cause eviction; however, the Court had the right and responsibility to look at all evidence presented. Both cases are on appeal to the Second Judicial District Court.

- Early in 2020, WLS represented a client who was locked out of her motel room. At the hearing, the landlord unsuccessfully defended by claiming that the tenant had abandoned the premises. It was clear from that first hearing, that the motel was concerned about non-payment of rent. The client recently contacted WLS again and stated that she was again locked out of her motel room. The client stated that she was never served a non-payment of rent notice, nor did she ever receive a copy in the mail. At the hearing, the Court was satisfied that the client would have certainly responded to Notice, and that there was no proof that the process server had ever mailed a copy of the Notice to the motel (which is required). The client was restored to the room, and the parties have been sent to mediation.
- Husband and Wife had provided a CDC Declaration to the Landlord. As a result, the clients assumed that they did not have to respond to Notice to pay rent or quit. The clients were locked out of their apartment. At the hearing, the landlord admitted receiving the declaration, and the lock out order was vacated. The landlord was required to return keys to the tenant, notwithstanding that they are behind on rent.
- Client was renting a townhouse. There was a burst sewer pipe, causing flooding and raw sewage exposure. Landlord wanted to just end the lease immediately and essentially evict the client with just a week's notice. Negotiated with landlord to have landlord pay the client around \$3,000 for moving costs, plus refund entire security deposit and prepaid rent.
- Client, a disabled senior living with her son, received a 30-day "no cause" notice to vacate. Since client and her son lost income due to the pandemic, the governor's eviction moratorium applied, which prevents landlords from evicting tenants until April 1, 2021, under certain circumstances. The landlord claimed that the moratorium didn't apply to the client, and continued with the eviction. We went to a summary eviction hearing, where the judge ruled that the moratorium applied to the client. The judge dismissed the eviction, allowing the client to stay until at least April 1, 2021.
- The client was served with a 3-Day Nuisance Notice in December for noise and smoking in unit. WLS attorney was able to get client a 90-day extension to relocate at a hearing in RJC.
- Then client, a non-English speaker, sold a used car to an acquaintance. There was no sale contract and the car was sold for cash. The acquaintance received the signed title and client did not keep a copy and basically had no way to prove a sale ever happened. It seems that the acquaintance never registered the car in his name. Shortly after the sale, the acquaintance abandoned the car, which was towed. The client received a bill for over \$2,600 for storage and towing of car, which was later sent to collections and then a collection lawsuit in justice court. WLS assisted the client in negotiating a payoff of about 45% less than the claimed amount and on December 8, 2020, the case was dismissed with prejudice based on the settlement.

- WLS attended mediation with the client and was able to negotiate a settlement between client and defendant with the client receiving \$1,500 from the defendant and the rescinding of the vehicle purchase.

### **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 serve children in 432b matters in 5 rural counties. In 2020, we represented 1,636 children in 432b proceedings. In 2020, the team adjusted to court closures, figuring out creative ways to meet with clients and a general slow down in kids entering the foster care system. Lawyers would go to the foster care family and meet with clients through an open window or sometimes meet at a park or other outdoor venue to maintain client contact.

### **Domestic Violence and Immigration**

WLS provides legal aid services to victims of crime and domestic or sexual violence, regardless of immigration status. WLS's immigration specialists provides holistic services for immigrants who are victims of crime and provide legal advice and counsel to victims who qualify for immigration benefits. In 2020 WLS served 175 clients, including 171 temporary protective order and four domestic abuse matters. WLS also assisted in 369 immigration matters.

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.

WLS' continued to with local law enforcement agencies to help individuals seek benefits as resident and immigrant survivors. In early 2020, the Unit trained Reno Police Department advocates on updates to NRS 33 and other laws. We also discussed with them changes in submitting certifications for I-918Bs for the U-Visa process for victims of crime, which helped streamline the process. WLS fielded numerous calls and emails from Washoe County Sheriff, RPD, and Sparks Police Department on best practices for law enforcement assistance in certifying for immigrant benefits, as well case questions for other individuals outside of WLS, in which law enforcement wanted to understand the relationship for certain types of crime/victimization and eligibility in seeking immigration benefits. Specifically, WLS answered numerous questions regarding qualifying crimes and other criteria for the U-Visa benefit, so that local law enforcement could attempt to provide certification for the U-Visa. In addition, WLS contacted new jurisdictions in Nevada in order to help victims receive U-Visa certifications from law enforcement agencies in rural Nevada counties, as well as from jurisdictions outside of Nevada for residents of Washoe County.

Finally, WLS participated in a meeting with the Second Judicial District Court to review new POHC procedures, progress on new TPO forms, and new self-help center (resource center) on third floor. WLS also participated in meeting with Second Judicial District Court administration and domestic violence advocates to clarify and modify issues with electronic access to the court related to filing domestic violence protection order applications.

### *Case Highlights*

- Applicant moved to Maryland from Mexico to be with her children's father, with the promise of a better place to live. He was abusive, took her passports and told her that if she wanted to leave, she was not allowed to take anything, because he said that anything she had, he gave to her. She came to Reno with the help of her brother, who lived here. She is a Spanish speaker and didn't know how to access the court for a TPO. She got an EPO approved for one year. Which gave her the opportunity to settle down and work for a better life on her own.
- Client had applied for a TPO but it was denied because her statement was not clear. I helped her reapply. He was stalking her, harassing her, and threatening to kill her. We reapplied for a TPO and I helped her rewrite the statement. Client got an EPO for 2 years (expires 10/15/2022) due to the abuse she suffered.

### **Guardianship**

In 2020, we served 1640 clients, including 1355 adult guardianship/conservatorship and 285 minor guardianship/conservatorship matters.

Since December 2020, WLS has participated in bi-weekly Covid-19 Bench/Bar meetings. In coordination with the Second Judicial Court and local hospitals, the goal is to ensure that Protected Persons under guardianship were removed from dangerous and over-crowded hospital settings to appropriate and safer facilities, thereby opening up hospital beds for Covid patients. These meetings have continued into 2021.

### *Case Highlights*

- In February 2011, the client's mother and father were appointed as co-guardians of the person and estate of the client. The client, now 29 years old, has cerebral palsy, severe intellectual disability, is nonverbal and lives with her mother. WLS was appointed as counsel in September 2019. In October 2020, the client's mother filed a Petition to Resign as Guardian. The mother wanted to be a host home provider and provide support services for the client but cannot act in that capacity if she is appointed as guardian. As a host home provider, the mother would be eligible for reimbursement for such services. The mother requested that her other daughter, the client's adult sister, be appointed as guardian in her stead. The mother's petition to resign was granted in December 2020 and the father's appointment as guardian continued. At that time, the client's sister filed her petition to be appointed guardian, which is set for hearing at the end of January 2021. WLS counsel provided significant guidance and assistance to the mother and sister to ensure their respective petitions were properly drafted and filed with the Court. By assisting the mother and sister with these legal documents, WLS ensured that the client's interests were protected and enabled the family to provide the client with the comprehensive support and services she needs.
- This 47-year-old client came under guardianship because his schizophrenia prevented him from caring for himself. He had run his own business and lived independently prior to his latest mental break. At some point he stopped communicating with his family. The

authorities found him essentially homeless. He spent many weeks in a mental hospital before his sister and mother petitioned for guardianship. He now lives in a group home setting with 24-hour supervision. He still is refusing medication and is unwilling to see any doctors or communicate with lawyers or judges, but he has stabilized. The hope is that as he becomes more comfortable with his new housing, roommates and staff, he will be willing to seek medical treatment. The ongoing legal intervention in this case is to revisit the guardianship on a regular basis to make sure it continues to be necessary.

- Client is 21 years old, with Dandy-Walker Syndrome. He is non-verbal and non-mobile, and requires a feeding tube, among other medical issues. He lives in a wonderful group home that is close to his family and siblings. He receives services through Sierra Regional Services (SRC), with medical help through Maxim Health Care. The public guardian became guardian when the client's mother died in 2018. We were new to the case at this time as well. This year, I was contacted by SRC because the client was at-risk to lose his in-home services from Maxim Health Care. This is the company that provides client with his nutrition and medications through his g-tube. It was discovered that the public guardian was refusing to sign paperwork needed to keep services in place because they did not have guardianship of the estate (only the person). The Rep Payee would also not sign the form due to liability reasons. After speaking to the public guardian caseworker and attorney, they continued to refuse to sign paperwork, with a deadline looming. As such, I filed an emergency Motion pursuant to NRS 159.079 and pursuant to duties of a guardian. The Judge, in turn, set an emergency hearing to address the issue. The Judge agreed with us and ordered the public guardian to sign the necessary documents to keep services in place for the client, and keep him in his group home with 100% funded care.
- Client is 23 years old and a mandatory 3-year review was set by the Court. The client had not been in front of the Court for years and Washoe Legal Services was newly appointed for the review hearing. When I found the client and her mother, the guardian, we discovered the client was no longer receiving supports she had with Sierra Regional Center (SRC) after she had turned 20. The mother was struggling and had moved and was upset with the past caseworkers through the agency. The client had suffered some trauma and had no counseling or services in place. I contacted the attorney for SRC before the review hearing and put the agency back in touch with the family. The new caseworker can communicate well with both the client and her mother, and the client now has counseling and services in place again. We are now working on terminating the guardianship, as the client is independent in many ways and advocating for more autonomy.

### **Other Representative Matters**

WLS served clients in 64 adoption matters and 151 parental rights termination matters.

In conjunction with our victim advocacy services, WLS also provides family law related assistance to our clients. In 2020, we served 1429 individuals on family law related matters, including 582 custody and visitation disputes, 463 divorce/separation/annulment matters, 154 divorce cases with custody disputes, 21 name changes, and eight paternity actions.

WLS also assisted clients in 67 torts matters, one small claims court matter, 162 wills and estates, 236 employment related matters (including 68 involving employee rights, 35 employment discrimination matters, 44 unemployment compensation issues, and 26 wage claims, among others), and 93 clients with income and public benefits related matters (including 28 SSI, 23 SSDI, 14 other social security (not SSDI), and 14 Medicaid disputes, among others).

### *Case Highlights*

- Client was working as an instructor for a continuing adult education class at local community college. She was laid off due to the pandemic. Client applied for unemployment benefits, which she received at first. However, the Nevada Department of Employment Training and Rehabilitation stopped the benefits, claiming that she wasn't entitled to them because she was a teacher "in between academic terms." WLS represented client at an appeal hearing. We won the appeal and client received \$9,000 in unpaid benefits she was previously entitled to.
- WLS attorney attended Small Claims hearing in October with a client who was being sued for \$10,000 in back rent which he denied owing. We were able to succeed in the client only being liable for \$5,100 in back rent, the amount client believed he owed.
- The senior center had a client who needed a refund from Absolute Dental who made him pay up front and received an insurance check. After a letter was written to Absolute Dental demanding a refund of \$2,129 for services not rendered and a refund of the insurance payment, all the monies were returned to the client. Client was able to obtain new services and the use of the insurance payment this calendar year.

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

The primary focus of the pro bono work is the recruitment, training, and mentoring of attorneys to represent abused and neglected children. In 2020, we placed 40 new cases with pro bono attorneys, had 47 active pro bono attorneys in 2020 (of whom 29 qualified to receive CLE credit), we served 14 CLE credit, we served 142 clients throughout pro bono placements, and our pro bono partner attorneys provided a total of 667.3 hours. The types of cases that we placed with our pro bono attorneys 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. In 2020, we provided assistance to 1,397 individuals, covering 1478 matters, in the Self-Help Center.

### **Community Partnerships**

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 financial abuse, simple estate planning and advice, powers of attorney, disability law, nursing home issues, landlord/tenant disputes, foreclosures, probate/administration of small estates, public benefits and minor guardianships.

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. WLS has a Safe Embrace employee on site at WLS's main office to aid in this collaboration.



Date: March 22, 2021

To: Members of the Access to Justice Commission

From: Southern Nevada Senior Law Program

Re: Access to Justice – Updates

1. Diane Fearon was appointed Executive Director of SNSLP in mid-January 2021. She joins the organization with an extensive background in professional services and nonprofit management. Some highlights of Diane’s career include being the founding President/CEO of Bank of George, founding President of Lexicon Bank, Executive Director of Nathan Adelson Hospice Foundation and CEO of Communities In Schools of Nevada. She has lived in Las Vegas since 1979 and is committed to community service.
2. In 2020, SNSLP provided quality legal assistance to 1626 clients. The three highest volumes of types of requested assistance were:
  - a. Estate Planning
  - b. Real Property Issues
  - c. Consumer Finance Issues
3. Community Outreach Initiatives
  - a. Helping Hands of Vegas Valley – will deliver 600 SNSLP flyers to home-bound, food-insecure seniors, along with monthly groceries in the month of April 2021.
  - b. Three Square – finalizing SNSLP flyer to distribute through their Golden Groceries, senior hunger program. Targeting 2500 flyers over a 10-week period to their clientele of 12,000+ food insecure seniors.
4. Success Stories
  - a. SNSLP helped a client whose husband had recently passed away to effectively deal with the three time shares her husband had enjoyed owning while alive. She felt these time shares, that she would never be able to afford to use, were a huge burden financially and emotionally, but did not know where to turn. Our attorney was able to negotiate on her behalf and to date has successfully returned two of the three time shares, thereby drastically reducing the annual fees that were being billed to her. We are currently negotiating with the third and final timeshare, to be returned to the timeshare company without further obligation on behalf of our client, and she has expressed her

tremendous relief in having our help to resolve a problem that felt overwhelming for her.

- b. A veteran sought the assistance of SNSLP because he believed that he was the victim of identity theft. His government stimulus check had not arrived, yet he got a notification that it had gone to an account that he did not recognize, causing him great distress. Our attorney researched the matter and discovered that because our client was a social security recipient and a veteran, his benefits were likely routed to his Direct Express debit card. In a case such as this, our investigation highlighted the fact that when a stimulus payment is credited to recipients' direct express card, a random account number is generated, which a client likely would not recognize or understand. The veteran ultimately received all the stimulus benefits that he had been agonizing over during the period that he was sure these precious funds belonging to him, had been stolen.



**701 E. Bridger Ave.  
Suite 700  
Las Vegas, NV 89101  
Phone: (702) 386-0404  
Fax (702) 388-1641**

530 S. 6<sup>th</sup> Street  
Las Vegas NV 89101  
Phone: (702) 386-0404  
Fax: (702) 388-1641

204 Marsh Ave., Ste.  
101  
Reno, NV 89509-1654  
Phone (775) 284-3491  
Phone (775) 883-0404  
Fax (775) 284-3497

285 10<sup>th</sup> Street  
Elko NV 89801  
Phone (775) 753-5880  
Fax (775) 753-5890

209 N. Pratt St.  
Carson City, NV 89701  
Phone (775) 883-0404

720 Main St., Unit A  
Yerington, NV 89447  
Phone (775) 463-1222  
Fax (775) 463-1212

March 22, 2021

Members of the Access to Justice Commission  
Nevada State Bar Offices  
3100 W. Charleston Blvd.  
Las Vegas NV

Re: Report from Nevada Legal Services

Dear Members of the Commission:

This is Nevada Legal Services first report in 2021.

### 1. Recent Developments at NLS

NLS received a very large grant from the Legal Services Corporation at the beginning of April 2020 under the CARES Act. This grant was given to us to help with the response to the Covid crisis. The funding has allowed us to increase our staff by 10 case workers. The extra staff helped us to increase the services that we were providing statewide during the crisis. The legal needs of our clients have not slowed and this funding is helping us to keep the 10 new staff on board for the foreseeable future.

NLS expanded our Civil Gideon Project to the Housing Court in the Eighth Judicial District. NLS had a “booth” (actually two tables and chairs) outside of the Courtroom where all the housing cases are heard during the hours that Housing Court is in session. The staff were there to provide legal advice or representation to any tenant that wanted it. It did turn out that being outside the courtroom where all the tenants were waiting was the best method to reach them. It was a hugely popular program. Many tenants did not want our representation and preferred to go it on their own, but they wanted questions answered and papers reviewed. Some of the tenants did want our staff to represent them at the hearing and we were able to do so without requesting continuances. For some clients, there was no legal defense. They did simply owe the rent, but we were able to help the tenants by negotiating with the landlords to provide time for the tenants to vacate and find other housing. We were just about to expand the staff when Covid shut the courthouses down for in-person meetings. NLS will continue with the in-person Housing Court Civil Gideon once our staff have been vaccinated and the courthouse is again fully open. NLS has been following the discussions that the Clark County Commission has been having about creating its own Civil Gideon Project for housing cases. We are talking to commissioners about collaborating with the County on this project. There is no need for two separate projects to be working at the Courthouse.

### 2. One Thing we Wish Would Change for our Clients

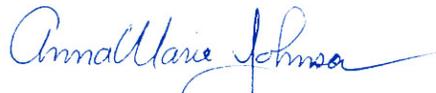
That the State Legislature take the issues that developed with DETR during the Covid crisis seriously and expend the funds needed to bring the DETR infrastructure into the 21<sup>st</sup> century and to adequately staff the agency. Then to ensure that DETR creates a “disaster” response plan for future occurrences as we experienced in 2008-2010 and in 2020. We are only going to see such emergencies repeat themselves and DETR does not seem to have learned any lessons from the past ones.

3. Key Trend or Obstacle to be Addressed

Housing eviction and other issues continue to be the number one problem faced by our clients. Despite the various state and federal eviction moratoriums, evictions never stopped and other housing issues, such as habitability concerns, only increased. With the moratoriums ending March 31, we are planning for a tsunami of eviction cases. NLS is conducting a heavy rotation of YouTube Live classes between March 22<sup>nd</sup> and March 31<sup>st</sup> about eviction law and hearings. We have also scheduled a nearly daily Ask-a-Lawyer event around housing issues. These will all be held by phone and by Zoom. We're doing this to try prepare tenants ahead of time, as we know we won't be able to assist all the tenants who have evictions that have been stayed to March 31<sup>st</sup> and those who will be receiving eviction notices after March 31<sup>st</sup>.

Unemployment benefits continues to be the second largest problem faced by our clients. We cannot believe that a year into the pandemic and the related unemployment rate, DETR is still behind on the pay out of UIC benefits. We have witnessed wholesale denials of benefits without adequate review of the applications and are appealing all of the denials that come into our office. Fortunately, the hearing officers have been correcting the errors made by those reviewing the applications for benefits, but the process is only slowing down the income that unemployed Nevadans need. Last month we filed a major lawsuit against DETR for its failures.

Sincerely,



Annamarie Johnson  
Executive Director

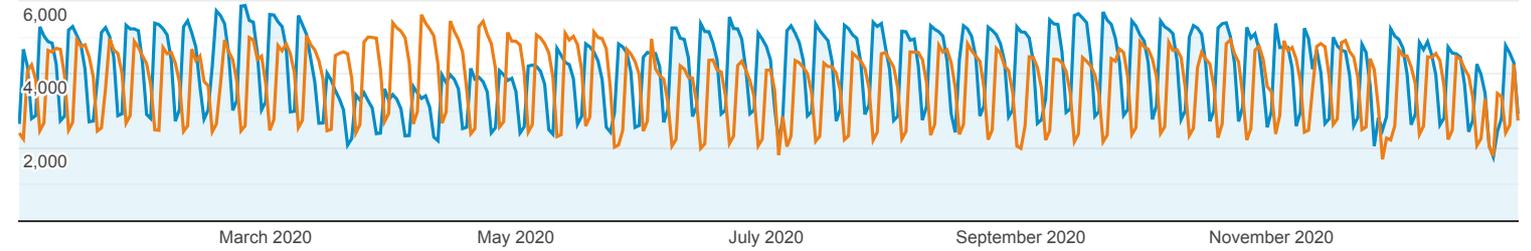
Audience Overview


**All Users**  
 +0.00% Users

Jan 1, 2020 - Dec 31, 2020  
 Compare to: Dec 31, 2018 - Dec 31, 2019

Overview

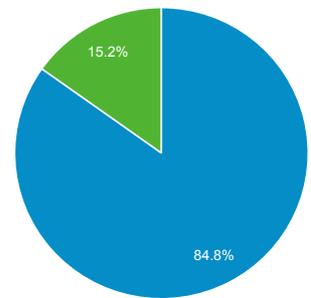
Jan 1, 2020 - Dec 31, 2020: ● Users  
 Dec 31, 2018 - Dec 31, 2019: ● Users



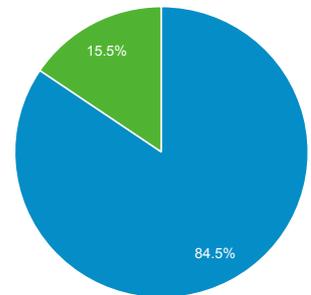
<b>Users</b> <b>9.53%</b> 1,185,821 vs 1,082,619	<b>New Users</b> <b>8.81%</b> 1,188,117 vs 1,091,875	<b>Sessions</b> <b>10.04%</b> 1,721,332 vs 1,564,282
<b>Number of Sessions per User</b> <b>0.46%</b> 1.45 vs 1.44	<b>Pageviews</b> <b>10.18%</b> 3,772,695 vs 3,423,979	<b>Pages / Session</b> <b>0.13%</b> 2.19 vs 2.19
<b>Avg. Session Duration</b> <b>3.63%</b> 00:01:58 vs 00:01:54	<b>Bounce Rate</b> <b>-0.39%</b> 64.34% vs 64.59%	

■ New Visitor ■ Returning Visitor

Jan 1, 2020 - Dec 31, 2020



Dec 31, 2018 - Dec 31, 2019



City	Users	% Users
<b>1. Las Vegas</b>		
Jan 1, 2020 - Dec 31, 2020	213,678	17.15%
Dec 31, 2018 - Dec 31, 2019	70,013	6.04%
<b>% Change</b>	<b>205.20%</b>	<b>183.96%</b>
<b>2. Los Angeles</b>		
Jan 1, 2020 - Dec 31, 2020	40,572	3.26%
Dec 31, 2018 - Dec 31, 2019	49,086	4.23%
<b>% Change</b>	<b>-17.35%</b>	<b>-23.10%</b>
<b>3. (not set)</b>		
Jan 1, 2020 - Dec 31, 2020	30,219	2.42%
Dec 31, 2018 - Dec 31, 2019	121,982	10.52%
<b>% Change</b>	<b>-75.23%</b>	<b>-76.95%</b>
<b>4. New York</b>		
Jan 1, 2020 - Dec 31, 2020	21,531	1.73%

Dec 31, 2018 - Dec 31, 2019	27,095	2.34%
<b>% Change</b>	<b>-20.54%</b>	<b>-26.07%</b>
<b>5. Chicago</b>		
Jan 1, 2020 - Dec 31, 2020	20,523	1.65%
Dec 31, 2018 - Dec 31, 2019	23,367	2.02%
<b>% Change</b>	<b>-12.17%</b>	<b>-18.28%</b>
<b>6. Dallas</b>		
Jan 1, 2020 - Dec 31, 2020	20,069	1.61%
Dec 31, 2018 - Dec 31, 2019	21,737	1.87%
<b>% Change</b>	<b>-7.67%</b>	<b>-14.10%</b>
<b>7. Atlanta</b>		
Jan 1, 2020 - Dec 31, 2020	14,626	1.17%
Dec 31, 2018 - Dec 31, 2019	18,432	1.59%
<b>% Change</b>	<b>-20.65%</b>	<b>-26.17%</b>
<b>8. Phoenix</b>		
Jan 1, 2020 - Dec 31, 2020	14,273	1.15%
Dec 31, 2018 - Dec 31, 2019	16,197	1.40%
<b>% Change</b>	<b>-11.88%</b>	<b>-18.01%</b>
<b>9. Houston</b>		
Jan 1, 2020 - Dec 31, 2020	12,677	1.02%
Dec 31, 2018 - Dec 31, 2019	13,538	1.17%
<b>% Change</b>	<b>-6.36%</b>	<b>-12.88%</b>
<b>10. Charlotte</b>		
Jan 1, 2020 - Dec 31, 2020	7,410	0.59%
Dec 31, 2018 - Dec 31, 2019	8,758	0.76%
<b>% Change</b>	<b>-15.39%</b>	<b>-21.28%</b>



Second Judicial District Court  
State of Nevada  
Washoe County

---

**Resource Center**

Second Judicial District Court  
1 South Sierra Street, 3<sup>rd</sup> Floor  
Reno, NV 89501  
(775) 325-6731

[ResourceCenter@washocourts.us](mailto:ResourceCenter@washocourts.us)  
[www.washocourts.com/ResourceCenter](http://www.washocourts.com/ResourceCenter)

---

**Ongoing Response to COVID**

The Resource Center team continues to serve the community by phone, by email, and via live chat during regular business hours. Feedback from court patrons continues to be positive, appreciating the speed at which they can receive an answer through our various communication options. For those who still prefer in-person services, we have expanded our remote offerings to include one-on-one assistance through Zoom. We look forward to expanding our services to in-person appointments beginning the week of April 5<sup>th</sup>. Due to the ongoing COVID-19 pandemic, the Second Judicial District Court Resource Center is currently closed for walk-in services.

**Summary of services**

- Live chat on our website at [www.washocourts.com](http://www.washocourts.com)
  - Visitors from around the world may get in touch with a team member via a popup chat window on our website. There are no automated chat bots – the visitor simply types their question and is connected to a team member for assistance.
- Team members 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@washocourts.us](mailto:resourcecenter@washocourts.us)
  - We can answer most general questions that people have, or direct people to the correct department.
- E-filing support at [eflexsupport@washocourts.us](mailto:eflexsupport@washocourts.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 webinars and one-on-one meetings
  - We now offer scheduled one-on-one trainings for beginners to eFlex. We cover the basics of setting up their account, how to e-file for the first time, and answer any other questions that arise.
  - Every Tuesday we host an open-forum style webinar in which new or intermediate e-filers can come and present any questions pertinent to the eFlex system.
  - We schedule Zoom meetings on a case-by-case basis if someone needs extra help, such as setting up a meeting so one can show their ID to verify identity.

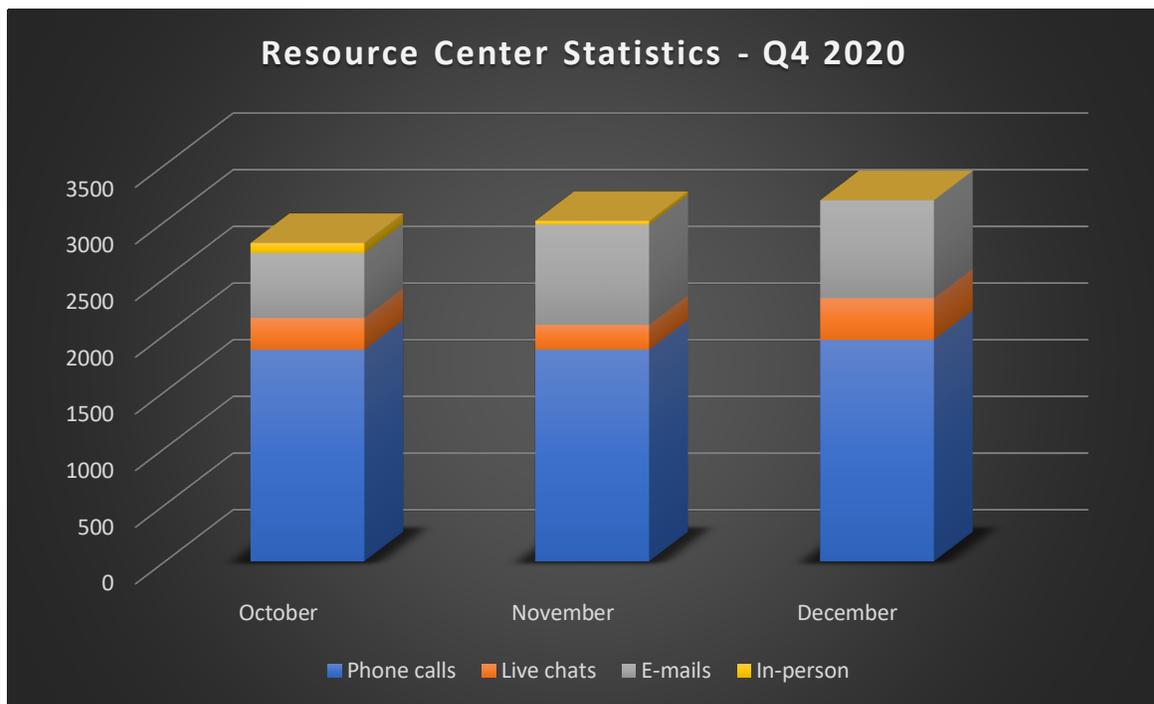


Second Judicial District Court  
State of Nevada  
Washoe County

- In-person appointments
  - Due to an increase in COVID cases during November, we had to stop offering our in-person appointments halfway through the month. While closed, we have been working on increasing the efficiency of these services, so we are even better prepared to reopen.

**Statistics**

We continue to have a strong response to increased availability in remote communications. In the last quarter we have had 5,695 phone calls, 866 chats, 2,322 e-mails, and 122 in-person appointments.





Second Judicial District Court  
State of Nevada  
Washoe County

---

**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)*

---

**Ongoing response to COVID**

This emergency has posed unprecedented challenges not only to our library but to the legal community at large. The need for social distancing has caused the Washoe County Law Library to evolve to meet the needs of our patrons. Currently unable to assist patrons in-person, we have developed several tools and modified services to ensure we continue to serve our community to the best of our ability. Due to the ongoing COVID-19 pandemic, the Washoe County Law Library, inside the Second Judicial District Court, is currently closed for walk-in services.

While the building is closed, Law Library staff are working remotely, assisting patrons over the phone, by email, and via live chat during regular business hours. We answer live phone calls and return voicemails promptly. We are reachable by utilizing our Ask a Law Librarian feature on our website or sending an email to: [lawlibrary@washoecourts.us](mailto:lawlibrary@washoecourts.us). Law Library staff also monitor a chat box on the Law Library website.

**Summary of services**

- Virtual Lawyer in the Library
  - The Lawyer in the Library program is by far one of our most in-demand services. We are happy to share we are continuing to offer this vital program; we continue to utilize a “virtual” format, using the Zoom platform. We offer the Family Law program every Tuesday, General Law every Wednesday, and Probate Law on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of the month. Patrons can sign-up for the program on our website. It continues to be well attended, with many volunteers and patrons expressing that the virtual program is much more convenient than the previous in-person program.
- Digital Law Library cards
  - We have updated our library card policy to allow patrons to obtain a library card without physically coming into the Law Library. Anyone wishing to obtain a card must read our Library Card Policy and fill out and sign the Library Card application. Once they return the signed application with a picture ID via email, we will issue a library card so they can access the online databases that require it, and borrow books using contactless book lending.
- Contactless book lending
  - We are offering contactless book lending. Patrons can browse our library catalog online or contact us if they are looking for a specific title or topic. They can request to borrow up to three books and schedule a time to pick up the books outside the courthouse. Law Library



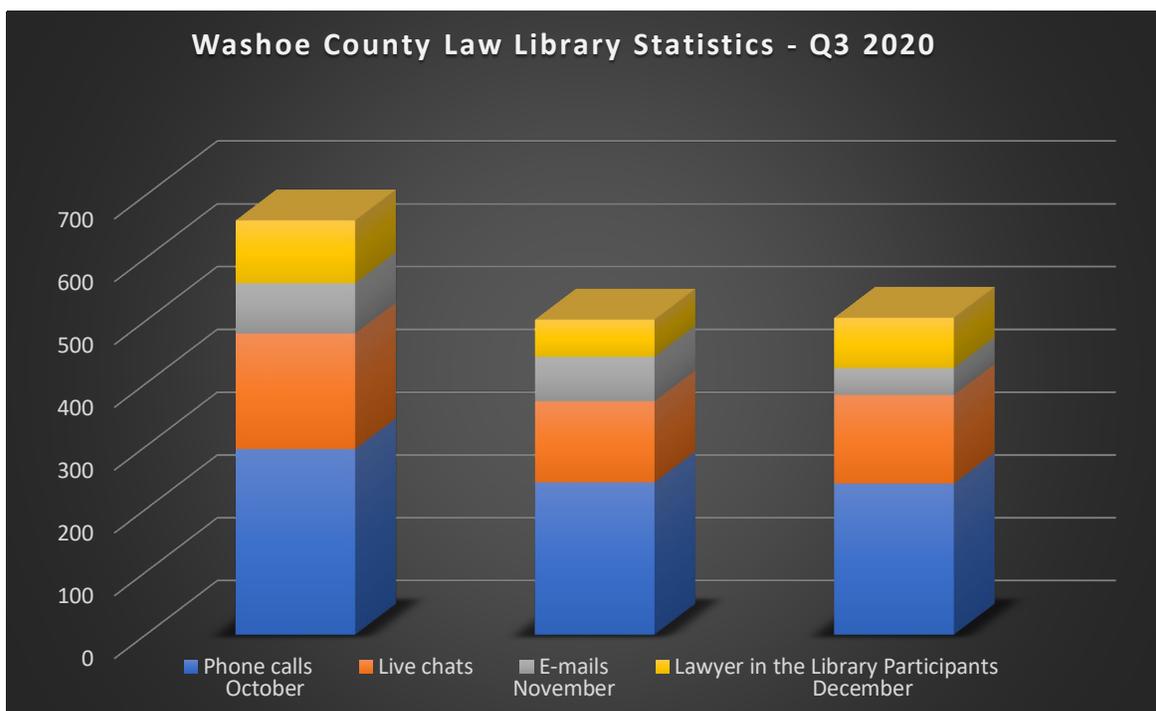
## Second Judicial District Court State of Nevada Washoe County

staff will meet them outside for a contactless handoff. We are also scanning tables of contents or small sections of books, as needed.

- Lexis Digital Library
  - We have recently added the Lexis Digital Library to our online offerings. 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.
- Westlaw remote access
  - We continue to offer free, remote access to Westlaw. Patrons can register for a trial of Westlaw that includes up to 20 hours of usage for 14 days. Content includes Westlaw Edge, secondary sources, and litigation.
- Other online resources
  - We are also offering other online resources patrons can use to perform research 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 also recently added new legal and criminal justice journal article databases for research.
    - 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 new and improved website.

### Statistics

Although the Washoe County Law Library has had to be flexible and get creative in the ways in which we are now assisting our patrons, it is clear that the need for our services has not decreased in these challenging times. In the last quarter we have had 780 phone calls, 454 chats, and 194 e-mails, and assisted 239 patrons at our virtual Lawyer in the Library program.



## NBA December 2020 Newsletter –

The IOLTA Report: Justice for *All*?

### *Nevada Lawyer Initiatives Boost Legal Services for Those in Need*

Interest on Lawyer Trust Accounts (IOLTA) is a critical resource helping to support legal services for Nevadans struggling to make ends meet. Nevada's legal aid organizations have benefitted from the strong support of our financial institution partners and the consistent funding for vital programs and services. At the same time, efforts are always underway to increase other revenue streams and pro bono service from lawyers than can make a real difference to people on the ground in gaining fair access to the court system.

### *Lawyers Step Up*

The State Bar of Nevada and the Nevada Bar Foundation partnered on a new initiative to boost Nevada attorney donations in support of legal aid. The Check Yes campaign solicits voluntary donations from attorneys as they pay their annual license fees. This is the second year of the campaign and already, donations are up 35 percent over last year.

### *Nevada Supreme Court Cultivates Pro Bono Service*

Also, attorney pro bono hours are increasing thanks to a new Continuing Legal Education (CLE) credit for pro bono service proposed by the Access to Justice Commission and Ordered by the Nevada Supreme Court. Nevada is now one of 15 states allowing attorneys to earn CLE credits by lending their expertise to someone unable to afford services.

### *State Bar of Nevada to Launch Incubator Program in 2021*

For attorney licensees new to the practice of law, or looking to enter private practice for the first time, new mentoring and resources have been developed. The program is sponsored by Bank of Nevada and is designed for those with an entrepreneurial spirit and enthusiasm about serving low and modest-income clients.

Benefits include:

- Give back to the community through pro bono and modest means representation.
- Scholarships are available to support attorneys interested in the growing "low bono" field.
- Furnished office and meeting space within the State Bar of Nevada's Las Vegas and Reno offices.
- Practice advisor for mentoring, education and tips on how to start and build a practice.

Participant Responsibilities:

- Provide at least 10 hours of pro bono service through a Nevada legal aid organization each month.
- Commit to providing services to modest means clients through the State Bar of Nevada's (SBN) Lawyer Referral Services program.

The Nevada Supreme Court Access to Justice Commission appreciates the support of bench and bar, and the dozens of Nevada financial institutions that through IOLTA (Interest on Lawyer Trust Accounts), are part of building a fairer, more accessible legal system for all Nevadans.

*By Brad Lewis, Director, Nevada Supreme Court Access to Justice Commission*

## NBA January 2021 Newsletter –

The IOLTA Report: Justice for *All*?

### *COVID-19 Challenges Family and Child Welfare; Legal Aid Innovates*

One of the most important functions of legal aid is keeping Nevada's children and families safe from domestic violence. The COVID-19 pandemic caused many unforeseen consequences. One of those is the tremendous stress put on families and the resulting increase in domestic violence that harms children, women and men alike.

Nevadans – and Americans – are being asked to stay at home. But home is not a safe place for everyone. Quarantining and social distancing can be isolating and causes stress for almost everyone. More people in tighter spaces, job and healthcare loss, combine to put immense stress on families. Any type of stress can lead to family conflict, and even violence and abuse.

COVID-19 severely limited previously available resources to help, which were no longer accessible or were harder to obtain. During the pandemic, suddenly a safe house may be off limits, closed or unavailable to help. Even simple ways families made life work before – extended family, childcare and school were suddenly out of reach.

### *Systemic Legal Aid Overhaul*

In the case of Legal Aid Center of Southern Nevada which runs the Family Law Self-Help Center, a whole world of in-person court visits and trips to the Self-Help Center were seriously disrupted. Legal aid saw a significant shift in how clients sought service including:

- A 17% increase in needs seen by families and children.
- In-person self-help visits plummeted from 62,587 in 2019 to 13,956 in 2020.
- Telephone inquiries soared from 0 in 2019 to 50,077 in 2020.
- Email inquiries jumped from 1,573 in 2019 to 7,129 in 2020.
- Online chat went from 0 in 2019 to 4,223 in 2020.

Legal aid quickly adapted essential services leading to new approaches. In one respect, COVID-19 pushed legal aid and court innovation from an in-person focus to remote case handling. The pandemic forced everyone to re-imagine self-help. Overnight, operations shifted from 97% in-person services to completely remote services.

### *Technological Innovation*

The COVID-19 shutdown presented significant technical difficulties to self-represented litigants (SRLs). To assist, legal aid accelerated technology projects to give SRLs better access to the court. Better court access means better access to justice. These included:

- Electronic document filing - avoiding court crowds.
- "Guide & File" interviews - translating simple questionnaire answers into legal documents.
- Online chat – a long-time wish list item made real by COVID-19.

In 2020, more people accessed family legal resources online. A record 1,185,821 people accessed the website and visited 3,772,695 pages of legal information, a 10% increase in users over 2019.

The Nevada Supreme Court Access to Justice Commission – and all of Nevada’s legal aid providers – would like to thank the dozens of Nevada financial institutions that through IOLTA (Interest on Lawyer Trust Accounts) helped keep families safer in a challenging year for all.

*By Brad Lewis, Director, Nevada Supreme Court Access to Justice Commission*

*Justice for All?* is a monthly series about civil legal needs experienced by Nevadans struggling to make ends meet. Leading Nevada financial institutions pay favorable rates on IOLTA - Interest on Lawyer Trust Accounts - 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 March 2021 Newsletter –

The IOLTA Report: Justice for *All*?

*Foster Youth Get Help Transitioning from Adolescence into Adulthood*

At 18 years of age, how would not having an adult role model affect your future?

As it turns out, Legal Aid Center of Southern Nevada's Children's Attorneys Project (CAP) attorneys would frequently get calls from older youths ageing out of foster care seeking guidance including:

- How to apply for college or trade school
- Where to go for medical care
- How to find employment and housing
- How to get a bank account

Foster youth typically have no adult to guide them on these and other everyday life matters.

The CAP program is partially funded by your IOLTA dollars – and thanks to a special grant through AT&T's Believe Las Vegas<sup>SM</sup> campaign - Legal Aid Center, in cooperation with Clark County's *Step Up* program developed an app called *RISE*. *RISE* is a resource designed to be immediately accessible through what every teenager has – a mobile phone.

Search "*RISE* Las Vegas", now available for download from Google Play and the App Store. The app includes a "Finance" category in the drop-down menu which features the *SaverLife* program to promote foster youth creating good financial habits and helping to build financial security.

You may not know that Nevada has one of the highest populations of homeless youth in the nation. Research shows that youth become more vulnerable to homelessness when they are ageing out of the foster care system. It is hoped *RISE* can be a part of providing the support needed for young people in Nevada to thrive.

If you have or know of a link, resource or event that would help this population please let us know.

The Nevada Supreme Court Access to Justice Commission thanks Nevada financial institutions that through IOLTA (Interest on Lawyer Trust Accounts) help Nevada's young people build successful lives.

*By Brad Lewis, Director, Nevada Supreme Court Access to Justice Commission*

*Justice for All?* is a monthly series about civil legal needs experienced by Nevadans struggling to make ends meet. Leading Nevada financial institutions pay favorable rates on IOLTA - Interest on Lawyer Trust Accounts - 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.

Public Awareness 110220 –

Since the November 6, 2020 report...

**Twitter** - We increased from 201,137 to 202,288 impressions and from 7,114 to 7,448 profile visits. We encourage you to follow us **@NevadaATJ**.