



Nevada Supreme Court Access to Justice Commission

Meeting - Friday, June 25, 2021 10:00 AM – Noon

Join meeting with Zoom

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Meeting ID: 985 6789 8471

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Meeting Agenda

- | | | |
|--|-------------------|--------------|
| I. Opening Statements from Co-Chairs & Commission Roll Call | 5 minutes | |
| II. Consent Agenda | 5 minutes | Tab 1 |
| • Approval of March 26, 2021 Commission Meeting Minutes | | |
| III. Discussion Items | | Tab 2 |
| • Legislative Update | 10 minutes | |
| • Eviction Prevention Plan | | |
| ○ Eviction Mediation Program Phase 2 | 40 minutes | |
| ○ STAY HOUSED CLARK COUNTY | | |
| • IOLTA | 5 minutes | |
| • Commission Membership Terms Expiring July 2021 | 15 minutes | |
| • Unbundled Services | 20 minutes | |
| ○ Nevada Legal Services draft ADKT | | |
| ○ ABA model rule - Rule 1.2: Scope of Representation & Allocation of Authority Between Client & Lawyer (americanbar.org) | | |
| ○ Unbundling by State | | |
| ▪ Unbundling Resources by State (americanbar.org) | | |
| ▪ Rules (americanbar.org) | | |
| ○ Self-Represented Litigant Network - Unbundling SRLN | | |
| • Statewide Technology and Self-Help Forms Committee | 10 minutes | |
| ○ Forms Drafting Subcommittee | | |



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IV. Reports	5 minutes	Tab 3
V. Other Business	5 minutes	
VI. Informational Items		Tab 4
<ul style="list-style-type: none">• Legal Aid Provider Highlights• Self-Help Center Statistics• Nevada Bankers Association <i>The IOLTA Report</i>• 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, March 26, 2021 – 2:00 p.m.

Commission Members Present

Chief Justice James Hardesty, Co-Chair
Justice Kristina Pickering, Co-Chair
Connie Akridge
Bobbette Bond
Kelly Bronagh
Justice Elissa Cadish
Julie Cavanaugh-Bill
Deonne Contine
Annamarie Johnson
Judge Joanna Kishner
Noah Malgeri
Victoria Mendoza
Joseph McEllistrem
Judge Bridget Robb
Judge John Schlegelmilch
Doreen Spears Hartwell
Judge Connie Steinheimer
Glen Stevens
Judge E. Alan Tiras
Anne Traum
Adam Tully
Judge Nathan Tod Young

Guests Present

Sarah Bates
Gillian Block
Barbara Buckley
Shannon Chambers
Diane Fearon
Phyllis Gurgevich
Chanteyl Hasse
Emily Reed
Susan Splan
Katerine Stocks

Staff Present

Brad Lewis



Call to Order/Roll Call/Minutes

The Access to Justice Commission meeting was called to order. Chief 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 November 6, 2020 minutes was requested. The minutes were adopted for the record.

Legislative Update

The legislature is in session and Gillian Block, UNLV extern for the Nevada Coalition of Legal Service Providers, provided an update on behalf of Bailey Bortolin. There was a focus on AB 357, designed to support consumer protection work through Nevada Attorney General settlement funds. Barbara Buckley shared the importance of the timing of this measure due to the waning national mortgage settlement funds. The Commission voted unanimously to have a representative(s) of the Commission speak in support of the bill at the hearing scheduled for March 31.

Other matters of relevance to the Commission include an education focus for those experiencing trauma or who are in healthcare facilities, consumer protection, auto leasing, medical care and frivolous liens.

Specific to evictions, various eviction measures, including eviction record sealing, are being advanced. While Nevada's unemployment numbers are improving, particularly when looked at on a statewide basis, in fact, if focusing solely on Las Vegas and including those who have exhausted their unemployment insurance, it is estimated the real unemployment rate may be near 23%. So the focus on eviction related measures and mediation, particularly when \$320 million in rental assistance is available, remains a key focus. All relevant parties have been working together and it is believed can make a difference getting landlords paid and keeping tenants house as the pandemic wanes, the economy improves and jobs are restored.

Eviction Mediation Program

Shannon Chambers, Nevada Labor Commissioner and president of Home Means Nevada (HMN), appointed by the Court to administer the eviction mediation program, joined the Commission for a brief update. Ms. Chambers shared that from October 15 – December 31, 2020, 1300 cases were mediated. It is not as simple as mediating every court case as cases must be eligible and qualify under Federal funding rules. The program has seen that landlords really need and want the rental money and mediation is an avenue to help. HMN has been working with all the relevant parties to make the program most efficient for all. In Clark County, this includes both the County and the courts. A key area of need that has been seen is the requirement of some tenants and landlords to get help with fully completing applications and providing all information necessary to receive rental assistance. While the



application process and document uploading is easy for some, moving forward, some effort will need to be applied to help those who struggle with technology, etc.

Chief Justice Hardesty shared that 20,000 cases are in queue for rental assistance, with 4585 cases pending in Las Vegas Justice Court. \$2 million remains to be spent from initial dollars assigned to the eviction mediation program with only \$170,000 being spent. He thanked Shannon Chambers for taking on the program, successfully administering it, adapting with all the changes and creating successes.

Statewide Technology and Forms Committee

The last Commission meeting saw survey results and agreement to the most used civil court forms statewide. The meeting materials for this meeting included a report from the co-chairs of the Forms Drafting Committee. In addition to discussing forms, the group discussed the feasibility of rolling out statewide forms along with statewide use of Odyssey Guide & File. Due to disparate court case management systems, it was discussed that the system could allow self-represented litigants to complete court forms through the guided questions. Once the form is completed if it cannot be “filed” it could be emailed to the court if the form format is accepted by every jurisdiction. Essentially, to better serve those who represent themselves, the “guide” portion could be used to complete the form with the “file” part being handled as acceptable. Further discussions and work will continue with a small Committee comprised of co-chairs James Conway and Lauren Pena, Judge Tiras and Ricardo Cordova.

Chief Justice Hardesty noted that Jason Sowards of the Nevada Supreme Court Law Library has plans to update and translate forms and suggested that a regular review date be set to assure continual updates. Brad shared that Jason is a member of the Statewide Technology and Forms Committee and that efforts would be coordinated moving forward. Funding has been requested for the Administrative Office of the Courts to advance on court technology. Brad will keep in contact with new Director Katherine Stocks.

Commission Membership

Several terms are expiring July 1, 2021. Members whose terms are expiring are to express interest in continuing to Nominating Committee chair Connie Akridge. The Committee will meet in April or May to discuss candidates for consideration by the full Commission.

Unbundled Services

Nevada Legal Services is seeking courts in the north/rurals to agree to unbundled services to offer better access to justice. It has been difficult to place contested family law cases due to the significant time burden placed on pro bono attorneys. A brief discussion ensued related to acceptable case types (particularly family v. other), how various courts handle, what might be required in advance, etc. It was felt that unbundling is an excellent way to get pro bono attorney participation but that it must be a formal process which is understood up front. Chief Justice Hardesty recommended an interim Commission meeting be set to discuss. Annamarie Johnson of Nevada Legal Services will have a draft ADKT as a basis for that discussion. Once a draft is agreed by all a public hearing could be set for comment.



IOLTA

The IOLTA Rate Review Committee will meet soon to set the Access to Justice Commission minimum interest rate for Nevada IOLTA accounts. An update will be provided at the interim meeting which will be set to discuss unbundling. Chief Justice Hardesty suggested the week of May 24th in the late afternoon.

Bishop Family Law Conference

Though the Family Law Conference in Bishop, California will not happen in person this year, the Family Law Section (FLS) has agreed to continue to thank pro bono attorneys and use individual testimonials to encourage pro bono outreach during 2021. This will occur at various FLS webinars during the remaining part of 2021.

CLE for Pro Bono 2020 Results

The first partial year with the new CLE for pro bono rule in place, though affected by the pandemic, resulted in 591 attorneys earning 1932 CLE credit hours. Of that, 46 were attorneys new to pro bono, earning 355 hours.

Provider Updates

Legal Aid Center of Southern Nevada

- COVID-19 affected the economy greatly, especially in Las Vegas, and economic issues equal legal issues. Increased need seen across all segments. Evictions and family issues at forefront.
- The Civil Law Self Help Center is to reopen April 1.
- The Family Law Self Help Center is to reopen May 3.
- Would like pro bono encouragement from all ATJC members. Attorneys can assist easily with Ask-A-Lawyer's now being conducted by phone.

Washoe Legal Services

- Hired a new pro bono coordinator.
- Child's Voice Luncheon not held this year due to COVID-19.
- Pro bono efforts include delivering gift baskets to Reno area firms.

Volunteer Attorneys for Rural Nevadans (VARN)

- VARN office hit hard by COVID-19 with five full time attorneys and eight full time staff affected.
- Consultations are being conducted by phone.
- VARN offices moved in February and technology has been updated.

Nevada Legal Services.

- Theron McNeil, longtime NLS client board member passed.



Southern Nevada Senior Law Program

- New executive director Diane Fearon thanked the Commission for a warm welcome.
- COVID-19 forced change and created extra anxiety for seniors.
- Now, 80% of consultations are by phone or Zoom versus in person.
- Offering eviction support.
- Many seniors have been more isolated than pre-COVID and food insecurity has increased.

Chief Justice Hardesty concluded the meeting by sharing as much as possible is being done to see that rental assistance is delivered. Justice Pickering shared that her key takeaway from the Legal Services Corporation panel discussion is that many changed their approach during this past pandemic year and most ended up setting aside fears to adapt to new technology and many changes.

Informational Items

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

- 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

AB 486 and the Eviction Process in Clark County

6.15.21

AB 486, proposed by legislative leadership and the Office of the Governor, creates a “glide path” for the end of the eviction moratoriums. It seeks to ensure that both landlords and tenants receive the benefit of the \$360,000,000+ in rental assistance dollars that are available through the federal government. Stakeholders in Clark County have created a process for implementation of the bill. Below is a description of that process:

Process begins with the Landlord Serving a Notice

The process begins when a landlord serves an eviction notice on tenants. Under the bill, all nonpayment of rent notices under NRS 40.253, 40.2512, or 118B.200 are included as are other eviction notices under NRS 40.254, excluding nuisance evictions, **where rental deficiencies exist.**

The tenant may then file an answer and all tenant/landlord information is sent to the CHAP program and to Home Means Nevada, the administrator of the Eviction Mediation Program

The tenant may then file an answer. The court sets the next available hearing date at least 30 days out. At the end of each day, the Las Vegas, North Las Vegas, and Henderson Justice Courts send a list of the cases filed that day to Home Means Nevada (HMN) for assignment of a mediator and a mediation date. The Justice Court also sends a list of all tenants who filed an answer that day to the Clark County CHAP program. Included in that list is the landlord and the tenant contact information. The County then looks up that tenant in the rental assistance (CHAP) portal. If the tenant application is there and complete, the county will expedite the application for payment. If the tenant application is incomplete, the application will be assigned to one of three nonprofit organizations (LV J Ct: HELP of Southern Nevada; NLV J. Ct: Nevada Partners; Henderson: Hopelink). All three nonprofits organizations have received contracts to assist the tenants in uploading all necessary documents, ensuring the tenant is “document ready” for CHAP review and payment processing by the time of the mediation.

The mediation occurs:

By the time of the mediation, the mediator will be provided or will seek a decision on the rental assistance application so as to advise both the tenant and the landlord at the mediation. At the mediation, if rental assistance is approved and agreed upon, a resolution is then noted. If rental assistance is not available, the parties can consider other outcomes: a payment plan or voluntary move-out to prevent an eviction from being entered. The tenant may also be referred to the housing nonprofit so as to accept rehousing assistance (so that family is not rendered homeless).

The court process:

If the mediation is not successful, the case will proceed to a hearing. If the tenant raises a defense to the eviction, the court may dismiss the case. If the tenant raises no defense to the hearing, the

Tab 3 has no content.



Access to Justice Highlights 1st Quarter 2021

HIGHLIGHTS

Overall Highlights re Activities, Community Initiatives & Outreach

New Initiatives:

Getting Pandemic Relief Funds to Foster Youth

We decided to take a more prominent role interacting with the State to offer assistance and input to connect eligible foster youth with federal pandemic relief funds. There is an urgency in this task because the funds expire in September 2021 and these dollars immediately need to get into the hands of the older youth who can use it for expenses related to housing, education, job training and many other things.

Ongoing Initiatives:

We are proud of the steps we've taken to improve the online presence of Legal Aid Center of Southern Nevada and the Vegas Strong Resiliency Center during this quarter. We continue to improve the Events and Calendar page on the Vegas Strong Resiliency Center website. This new design allows users to more easily view upcoming events throughout the month and hone-in on events they want to learn more about. We added a Blog tab that will post timely, relevant articles on a monthly basis.

This effort extends to the Community Legal Education Class Program. We added an Eventbrite page for certain class sign-ups. We are testing this method to see if it helps improve class attendance since it can send out reminders and texts.

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 continue to provide our digital materials (flyers about our services, how to connect with us, class schedule, etc.) to community partners and elected officials to share with their clientele/constituents.

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:	Last quarter: 4,234	This quarter: 4,316	Increase: 82 = 1.9%
Twitter:	Last quarter: 1,415	This quarter: 1,509	Increase: 94 = 6.6%
LinkedIn:	Last quarter: 831	This quarter: 909	Increase: 78 = 9.4%
YouTube:	Last quarter: 383	This quarter: 419	Increase: 36 = 9.4%
Instagram:	Last quarter: 413	This quarter: 557	Increase: 144 = 34.9%

Vegas Strong Resiliency Center

Facebook:	Last quarter: 2,762	This quarter: 2,825	Increase: 63 = 2.3%
Instagram:	Last quarter: 743	This quarter: 830	Increase: 87 = 11.7%
YouTube:	Last quarter: 5	This quarter: 18	Increase: 13 = 260%

We added more videos during this quarter to our YouTube channel:

Pandemic Eviction Protection Using Tyler Guide & File:

<https://www.youtube.com/watch?v=FWfwqZ7Ut7s&t=1s>

Evictions and Tenant Protections amid the COVID-19 Pandemic:

<https://www.youtube.com/watch?v=3x2eutDD2kU&t=5s>

Recovering Financially from the COVID-19 Pandemic:

https://www.youtube.com/watch?v=CJw7g_7xCY0&t=2188s

Get Involved with the Children's Attorneys Project:

<https://www.youtube.com/watch?v=wEvQ5Zz5q0U>

Virtual Community Outreach Events – 15 total for this quarter:

1/11/21: Anthony gave legal services presentation to Communities in Schools

1/11/21: Angie participated in Nevada Immigrant Coalition Summit

1/13/21: Lauren gave legal services presentation to UNLV Classified Staff Council

1/13/21: Aaron gave eviction presentation to Nevada Homeless Alliance

1/21/21: Noah's presentation to Las Vegas Chapter of National Bar Assn.

2/11/21: Co-hosted virtual community Ask-A-Lawyer event with Commissioner Kirkpatrick

2/25/21: Held special virtual bankruptcy Ask-A-Lawyer event

2/26/21: Gabrielle gave a DACA presentation to families and students at Equipo Preparatory Academy

2/27/21: Haley participated in a virtual town-hall with Congresswoman Susie Lee.

3/4/21: Melissa Corral participated in an AILA networking event with the Immigrant Rights Coalition at Boyd Law School.

3/11/21: Pete held a virtual presentation for community partners called *Recovering Financially from the COVID-19 Pandemic*.

3/15/21: Anthony Mackenzie participated in Community in School's Community Partners Meetings to give a brief overview of services.

3/17/21: Jim & Chris participated in Clark County Commission Virtual Townhall (English & Spanish offered)

3/25/21: Chris did a Spanish language interview that will be broadcast on 101.9 and 1460AM

3/27/21: Pete Aldous was a panelist on a Foreclosure Prevention panel hosted by Nevada Partners and Homie. Christine Miller participated and shared legal resources.

Legal Aid Center in the news:

Link unavailable for Las Vegas Review Journal article, January 4, 2021: *Evictions continue into the new year. Here's what you need to know.*

<https://lasvegassun.com/news/2021/jan/11/film-recounts-story-sex-trafficking-victim-vegas/>

<https://www.consumeradvocates.org/media/news/survey-vehicle-defects-deception-and-fraud-financing-are-dominant-areas-consumer-harm>

<https://www.ktnv.com/news/how-president-bidens-eviction-moratorium-extension-will-impact-las-vegas>

<https://www.8newsnow.com/news/local-news/experts-some-of-president-bidens-executive-orders-will-greatly-impact-nevadans/>

<https://eltiempolv.com/noticias/acta-de-ciudadania-2021-139033/>

<https://lasvegassun.com/news/2021/feb/02/free-legal-aid-session-available-to-southern-nevad/>

<https://www.ktnv.com/news/commissioner-co-hosting-free-legal-advice-event-for-locals>

<https://www.yurview.com/regions/las-vegas/cox-honors-four-southern-nevadans-this-black-history-month/>

<https://thenevadaindependent.com/article/freshman-orientation-assemblywoman-venicia-considine>

<https://www.reviewjournal.com/news/politics-and-government/2021-legislature/landlords-oppose-proposed-eviction-reforms-2294752/>

https://thenevadaindependent.com/article/bill-to-give-tenants-more-notice-before-evictions-faces-pushback-from-landlords-who-say-it-makes-renting-unviable?utm_source=The+Nevada+Independent&utm_campaign=fccb8887ad-EMAIL_CAMPAIGN_2021_03_01_03_58_COPY_01&utm_medium=email&utm_term=0_15592b5f76-fccb8887ad-43319533

<https://www.nevadacurrent.com/2021/03/05/legislation-would-automatically-seal-records-for-pandemic-related-evictions/>

<https://thenevadaindependent.com/article/bill-offers-a-modicum-of-help-for-troubled-renters-in-covid-crisis>

<https://www.ktnv.com/news/coronavirus/virtual-town-hall-on-eviction-moratorium-rental-assistance-march-17>

<https://www.ktnv.com/news/landlord-woes-tenant-trashes-home-after-not-paying-rent>

https://www.fox5vegas.com/news/local/clark-county-hosting-virtual-town-hall-on-housing-eviction-moratorium/article_2924a920-8715-11eb-802a-bf7da67fb7c0.html

https://thenevadaindependent.com/article/tens-of-thousands-of-rental-assistance-applications-in-clark-county-backlog-as-eviction-moratorium-expiring?utm_source=The+Nevada+Independent&utm_campaign=e2396ec559-EMAIL_CAMPAIGN_2021_03_15_02_39_COPY_01&utm_medium=email&utm_term=0_15592b5f76-e2396ec559-43319533

<https://www.8newsnow.com/news/local-news/local-leaders-stress-tenants-should-take-control-of-the-situation-as-eviction-moratoriums-near-end/>

<https://www.ktnv.com/13connects/13-helps/housing-help-vegas-area-leaders-talk-evictions-legal-aid>

<https://www.nevadacurrent.com/2021/03/19/hoa-foreclosure-process-comes-under-scrutiny/>

<https://reno.newsreview.com/2021/03/21/evictions-a-scarlet-letter-e/>

<https://reno.newsreview.com/2021/03/22/lockout-orders-it-feels-like-bullying/>

<https://www.nevadacurrent.com/2021/03/23/fear-looms-as-eviction-protections-set-to-expire/>

<https://www.nevadacurrent.com/2021/03/25/nevada-lawmakers-aim-to-regulate-apps-offering-early-access-to-wages/>

<https://thenevadaindependent.com/article/bill-giving-tenants-more-rights-to-reclaim-their-security-deposits-draws-flurry-of-landlord-criticism>

<https://www.reviewjournal.com/business/housing/local-advocates-for-tenants-praise-eviction-ban-extension-2317726/>

<https://thenevadaindependent.com/article/sisolak-extends-state-level-eviction-moratorium-for-2-more-months-federal-protections-last-for-3>

<https://www.reviewjournal.com/news/politics-and-government/nevada/sisolak-extends-nevada-eviction-moratorium-2318299/>

Consumer Case Highlights

Linda Williams is a senior citizen and essential worker. During a time of financial hardship in 2014, she took out and subsequently defaulted on two payday loans from Check City. Check City filed a complaint against Ms. Williams in the Las Vegas Justice Court on one of the loans. A month later, Check City filed another complaint in Henderson Justice Court on the other loan. That same month, Ms. Williams made a large payment at a Check City store to pay off both loans.

For months, Ms. Williams heard nothing more until, only recently, she was served with the Henderson complaint. Sure that it was a mistake, she went to the office of Check City's attorney. She showed the attorney her payment receipts, and he stated that he would "take care of it." Ms. Williams assumed her account was settled and any pending litigation would be dismissed.

But Check City persisted. A month later, Check City served Ms. Williams with the Las Vegas complaint. Unfortunately, Ms. Williams did not answer the complaint, and a default judgment was entered against her. No notice of the judgment was ever filed or served on Ms. Williams. Check City then garnished Ms. Williams' wages. Only then did Ms. Williams' learn of the judgment against her. At this point, she sought Legal Aid Center's assistance.

We filed a motion to set aside the default judgment, asking for the return of the garnished funds and seeking an order that Check City be held in contempt. First, Check City had misrepresented to the court the status of the debt, which Ms. Williams had paid in full prior to being served with the complaint. Second, Check City had requested judgment even though its attorney told Ms. Williams he would “take care of” the two pending cases after she showed him receipts. And finally, Check City filed for a garnishment even though it had never notified Ms. Williams of any judgment against her.

Check City filed an opposition to our motion, but soon thereafter contacted us to discuss what it claimed was “just a misunderstanding.” Check City offered to refund half of the funds it had garnished from Ms. Williams. Although we were eager to litigate the case for Ms. Williams, she just wanted to put the whole thing behind her. Plus, she needed the money to get her through tough financial times caused by the pandemic. So Ms. Williams accepted the settlement offer and within days had her check.

This case illustrates the importance of having an attorney analyze payday loans. Although this case was unusual because there were two loans and two complaints in different courts, at its heart it was about a low-income, elderly debtor who had been misled by a large, sophisticated lender. Only with an attorney’s help could the lender be held accountable and the money wrongfully taken recouped.

Guardianship Advocacy Project Case Highlights

Legal Aid Center was appointed to represent client JM,* age 35, in December of 2019. The guardianship had been ongoing since 2002 with JM’s mother acting as guardian. Upon review of the file, the Legal Aid Center attorney noted that information regarding the cause of lack of capacity was sparse. Filings with the court had noted a “developmental impairment”. JM is also deaf.

Upon first meeting with the client, Legal Aid Center utilized an interpreter. JM appeared to be successful in her current group home placement but expressed a desire to be more independent. It turned out that the guardian, her mother, was not inclined to allow JM any additional independence. Guardian claimed that in the past, JM client had been taken advantage of and therefore required close monitoring. This close monitoring included only allowing JM access to a cell phone for a limited number of hours per week. As you can imagine a cell phone is a lifeline for a person in their 30s. And for someone who is deaf it can be a lifeline to the world.

JM and her Legal Aid Center attorney discussed her options and she decided that requesting the Clark County Public Guardian to step in as her guardian would allow her more freedom and possibly lead to the termination of the guardianship. Before we could request the guardianship be terminated, a meeting was held with JM, her DRC caseworkers and her guardian. JM’s attorney attended with her at DRC’s request and explained to the guardian their concerns about limiting JM’s cell phone time and how this violates her rights. Guardian agreed to additional phone time but upon learning that JM wanted to change guardians became upset and stormed out of the meeting. The additional phone time allowed JM and her attorney to communicate via text message, which became even more important during lockdown.

JM still wanted to follow through with the original plan. Legal Aid Center counsel reached out to guardian and co-guardian (aunt). Eventually, after much back and forth they agreed to stipulate to appointing the Clark County Public Guardian as successor guardian and they would step down. The Clark County Public Guardian was appointed in May of 2020.

JM continued her success at work and in her group home. In March of 2021, the Clark County Public Guardian suggested that the guardianship be terminated. JM was thrilled. The guardianship was terminated and JM is looking forward to the next chapter in her now independent life.

*name has been changed

Family Justice Project Case Highlights

Client sought representation in a divorce with minor children. Client alleged that opposing party/Dad had sexually assaulted client's eldest daughter who is not his biological child. CPS became involved, but did not substantiate the case. The parties reached an agreement in mediation and our client was awarded sole legal custody and primary physical custody of the biological children with Dad having a few hours of visitation each week. The parties could not settle the division of assets and the case was set for trial. Approximately one week prior to trial, Metro Police opened an investigation into the alleged sexual assault. On the day of trial, adverse party did not appear until contacted by the Court. He had relocated to Mexico and would not participate in the case. We were able to successfully argue that there should be a change in custody due to opposing party no longer residing in Nevada. Further, the Court awarded client child support, spousal support, and an unequal distribution of property due to the difficulty in enforcing the support orders.

Immigration Case Highlights

We represented Angelica in her U Visa case. She met her husband at the age of fourteen. She married him at the age of fifteen and was pregnant with their first child at the age of sixteen. He decided that they needed to come to the U.S. to build a better life for their family. Upon arriving in the U.S., her husband became emotionally, physically and sexually abusive. He constantly insulted her and made her feel worthless. She became severely depressed and lost her will to live. Her children grew tired of witnessing the abuse. Her daughter told her that she had to do something or she was going to die from sadness. It was then that Angelica realized that she had to gain strength for the sake of her children. Angelica sought help through a domestic violence shelter. Once she learned about the U Visa, she felt that she had a means to make a life for herself and her children. It took five years to receive an approval on her case. During that time, she filed for divorce, found a job and began loving herself again. She now has a new perspective on life.

Children's Attorneys Project Case Highlights

Mykel and Carli are five-year-old twins who have spent nearly have their lives as wards of the family court. After a brief reunification with their parents, they came back into the system and were returned to foster care. Their "other mom" who cared for them previously had moved out-of-state, but their CAP

attorney immediately began efforts to return them to her care. His first efforts failed, however, as the judge sided with DFS, deciding that Mykel and Carli should instead be adopted by grandparents they had never met. The children were flown from foster care to Florida to meet their grandparents who planned to adopt them...but after just a few short months that placement failed and Mykel and Carli were flown back to Nevada to be returned to foster care.

Their CAP attorney immediately requested that the court reconsider placement with their former caregiver, and this time the court approved the placement. However, because she now lived in Maryland, DFS first needed to secure approval from their counterparts on the East Coast. As that process grew protracted, reports began making it back to the CAP attorney that there had been some kind of investigation of the caregiver in Maryland. It seemed a moot point, however, as she soon moved back to Nevada. With no more apparent barriers to placing Mykel and Carli with their "other mom," their CAP attorney again requested the Department do so. And finally, the details of the supposed investigation came out. Sometime around 2009, the caregiver had had some children living with her in Maryland who turned up with head lice. A school nurse believed she was required by law to report it to CPS, and so she did so. When the caregiver later sought a foster care license and the incident came up, she asked that it be removed from her record and was told her request was granted, and that the incident should have no bearing on her ability to foster children. She obtained a signed letter stating as much. But due to a clerical error, the records were not amended.

Mykel and Carli's CAP attorney requested a hearing on the matter. After the Department's concern was detailed for the court, a slightly incredulous judge determined that an incident with head lice from more than a decade prior had no bearing on the safety of Mykel and Carli with their proposed caregiver, and ordered the Department to make the placement immediately. As it turned out, the children were visiting with the caregiver at the time of the hearing; they haven't left her home since.

Education Advocacy Program Case Highlights

Jessica is a 20 year old young adult who recently exited foster care. She is now "couch surfing" as her recent reunification with her mother led to her mother stealing money from her. Jessica wants to get her Adult Education Diploma and is only 4.5 credits short. But she faced many challenges: she does not have a laptop, only her cell phone, and while she would love to go in-person to class, due to COVID, that isn't an option. Her phone is unable to handle the applications that the Adult Education Department uses for assignments.

I worked with the Adult Education advocate to streamline a way for Jessica to take her classes and graduate before June. This meant working within the limitations of Jessica's unfortunate circumstances. We reduced seat time down dramatically for each class and arranged to have verbal quizzes and tests over video. We arranged in person video lessons for Jessica to review materials.. Her finals for the classes consist of a verbal comprehension quiz. Jessica has already completed one of her English credits and is going on to the next. I text her every morning, encouraging her to log in and to let her know I believe in her. I call every other day to see how she is doing. I encourage her to stay motivated to graduate and ask if she needs anything from EAP or her Step-Up worker. I don't think Jessica has stable people in her life, and I want her to know that we are here for her. Despite all of the obstacles standing in her way, Jessica will soon be a graduate.

Vegas Strong Resiliency Center Case Highlights

Ms. Thompson had lost her job due to the pandemic and had gotten behind on rent. While she had found a new job, she still needed to get current on her owed balance, but her landlord was not willing to work out an arrangement.

Despite there being federal and state eviction moratoriums in place, Ms. Thompson's landlord filed for eviction. Ms. Thompson was not aware that there were certain affirmative steps she needed to take in order to be protected by the eviction moratorium, and the eviction order was granted. Ms. Thompson contacted the center for assistance as she thought she would need to move out quickly. The Resiliency Center's legal team reviewed the factual background of her situation and walked her through the process to file an appeal of the eviction following the eviction moratorium guidelines. Ms. Thompson's appeal was heard and found in her favor, mandating that the eviction be reversed and that the landlord meet with Ms. Thompson at mediation to attempt to work out a payment plan.

Parallel to the eviction appeal, the center worked to find housing resources and helped plan a new residence for Ms. Thompson in case she was unable to be successful in mediation with her landlord.

The center's assistance provided Ms. Thompson the necessary safety of a home and ability to move if she needs to on her own time-frame. With this basic need being met, she can now refocus on her healing.

*names have been changed to protect confidentiality

PRO BONO PROJECT

First Quarter 2021 Pro Bono Project Highlights:

I. Case Placements:

During Q1 of 2021 we placed 184 cases with 157 unique attorney volunteers:

- January - 66
- February- 56
- March – 62

II. Pro Bono CLE Seminars:

January 22- CAP Supplemental- Advocating for Preverbal and Nonverbal Children in Abuse/Neglect Proceedings

January 29- CAP Intro

February 12 - Ethics 2021

February 26- CAP Intro

February 26- CAP Supplemental- Psychotropic Medications: The Law and the Science

March 5- Family Law Appeals

March 12- Virtual Representation in CAP Cases

March 19- How to Effectively Work With Interpreters: Tips and Hints

March 19- CAP Supplemental- Promoting Permanency in a Way that Values Child Well-Being

March 20- CAP Intro

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

- January – Richard V. Foster- CAP; Michael Kalish- non-CAP
- February—Doreen Spears Hartwell, non-CAP
- March—Arun Gupta, non-CAP

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

- January 1: CCBA Community Service Committee Meeting
- January 21: MKAJF Info Session with Boyd
- January 21-National Bar Association (Vegas Chapter) presentation
- February 5: CCBA Community Service Committee Meeting
- March 4: SNABA Presentation
- March 9: Civil Bench Bar Announcements
- March 15- **American Association of Jewish Lawyers and Jurists (Vegas Chapter)** presentation
- March 19: NW Career College Annual Meeting
- March 22: Federal Pro Bono Committee Meeting
- March 26: CCBA Diversity Equity Inclusion Committee meeting
- March 26: Access to Justice Commission meeting
- March 31-Maier Gutierrez & Associates firm visit

STATS

Consumer Rights Project - Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened for Attorney in quarter	236			
Number of cases closed for Attorney in quarter	233			
Number of cases opened with brief service or more	6101			
Total Active cases through end of quarter	579			
Unemployment Culinary Assistance Program	1500			
Social Security Project Cases - Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened for Attorney in quarter	34			
Number of cases closed for Attorney in quarter	30			
Number of cases opened with brief service or more	22			
Total Active cases through end of quarter	129			
Social Security Hotline Calls	353			
Guardianship Advocacy Project – Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened for attorney in quarter	173			
Number of cases closed for attorney in quarter	143			
Number of cases opened with brief service or more	27			
Total Active cases through end of quarter	1,961			
Minor Guardianship Advocacy Project – Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened for attorney in quarter	137			
Number of cases closed for attorney in quarter	71			
Number of cases opened with brief service or more	11			
Total Active cases through end of quarter	290			

Family Justice Project Cases - Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened for attorney in quarter	90			
Number of cases closed for attorney in quarter	92			
Number of cases opened with brief service or more	2,117			
Total Active cases through end of quarter	302			

Immigration - Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened for attorney in quarter	177			
Number of cases closed for attorney in quarter	76			
Number of cases opened with brief service or more	571			
Total Active cases through end of quarter	899			

Children's Attorneys Project Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	264			
Number of cases closed in quarter	295			
Total Active cases through end of quarter	1,703			

Education Advocacy Program Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	26			
Number of cases closed in quarter	15			
Total Active cases through end of quarter	122			

Volunteer Education Advocate Program Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	12			
Number of cases closed in quarter	23			
Total Active cases through end of quarter	147			

Civil Law Self-Help Center Quarterly Statistics				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of clients served	9,396			

Family Law Self-Help Center and TPO Quarterly Statistics				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of clients served	19,347			

Vegas Strong Resiliency Center				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of clients served	2,169			

Community Legal Education Program Attendance Statistics					
CLASS	JAN. - MAR.	APR. - JUNE	JULY - SEPT.	OCT. - DEC.	TOTAL FOR YEAR
Divorce	71				
Paternity/Custody	28				
Guardianship	40				
Spanish Family Law	4				
Bankruptcy	24				
Spanish Bankruptcy	0				
Small Claims	30				
Collection Proof	21				
Family Law Litigation & Trial Prep	54				
Immigration English	20				
Immigration Spanish	4				
TOTALS	296				

Pro Bono Project Case Statistics by Quarter					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct-Dec)	TOTAL
Number of cases placed	185				
Number of unique attorneys who accepted a new case	157				
Number of cases closed	195				

Ask-A-Lawyer Pro Bono Project Quarterly Statistics (All Programs Combined)					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct - Dec)	TOTAL
Total Clients Served	1023				
Total Events Held	70				
Total Unique Attorney Volunteers	91				
Total Volunteer Hours	588				

Court will issue an eviction order. If the tenant is evicted, the court may direct the tenant to rehousing flyers at the Courthouse or at the Civil Law Self Help Center.

*The Nevada Supreme Court is currently reviewing the Residential Summary Eviction Rules and may issue changes on or around June 24, 2021.

Eviction Process

START

Landlord serves a nonpayment of rent notice under NRS 40.253, NRS 40.2512, or NRS 118B.200, or any other eviction notice under NRS 40.254, excluding nuisance, where a rental deficiency exists.

Tenant does not answer. Landlord files Complaint and eviction granted.

Tenant files an Answer with court.

Court sets next available hearing date at least 30 days out. Within 24 hours of filing, Court sends case to county to expedite processing of rental assistance application and to HMN for scheduling of mediation.

Mediation occurs. CHAP program transmits rental assistance decision to mediator.

If successful, agreement signed & notice sent to court.

If unsuccessful, Justice Court notified and eviction hearing proceeds.

At court hearing, judge hears case.

If tenant raises a defense, court dismisses case.

If no defense to eviction is presented, eviction occurs.

Tenant is referred for rapid rehousing.



STAY HOUSED **CLARK COUNTY**

If you're behind on rent and facing eviction, here are some steps to take right now:

Protect Yourself

The CDC eviction protections are effective through June 30, 2021, but they aren't automatic. You must sign a CDC declaration if you qualify and give it to your landlord. Visit www.lacsn.org/declaration for the form. If you've already given a declaration, make sure it was the CDC form. If it wasn't, provide a new one to your landlord as soon as possible.

Apply for Rental Assistance

Free rental assistance is available to tenants who qualify! Visit chap.clarkcountynv.gov to apply. If you've applied already, check your CHAP account, and make sure your information is updated and complete.

Respond to an Eviction Notice

If your landlord gives you an eviction notice, read it thoroughly. Make sure you know the deadline to file an answer with the court. If you don't file an answer, your landlord can evict you automatically by default! Las Vegas residents can prepare and file their answers online. Other tenants can use the program to prepare their forms and email them to the court. Get started by selecting "SUMMARY EVICTION: Tenant's Answer" at www.lacsn.org/efile

Inform the Court

When you file the Tenant Answer, be sure to include whether you applied for CHAP and the status of the application. If your landlord refused to cooperate with CHAP and/or refused to accept payment from CHAP, include that information. Inform the judge and mediator too.

Request Mediation

Free mediation is available if your eviction is for nonpayment of rent. If you request mediation in the answer you file, the court will delay your eviction hearing 30 days so a mediator can help you and your landlord work things out.

If you need help, Legal Aid Center of Southern Nevada is available at 702-386-1070 or visit www.civillawselfhelpcenter.org

More resources are available at www.lacsn.org/covid-19



ACCESS TO JUSTICE COMMISSION

IOLTA Rate Review Meeting Recap Friday, April 23, 2021 – 2:00 p.m.

Present

Chief Justice James Hardesty
Justice Kristina Pickering
Connie Akridge
Barbara Buckley
Annamarie Johnson
Noah Malgeri
Raine Shortridge
Doreen Spears Hartwell
Adam Tully
Victoria Mendoza

Staff Present

Brad Lewis

This was the regular spring IOLTA rate review for the Access to Justice Commission to set the rate for the period June 1, 2021 through November 1, 2021.

Chief Justice Hardesty welcomed the group and thanked Connie Akridge and Doreen Spears Hartwell for being willing to again support AB 357, the Nevada Attorney General's bill designed to direct certain state settlement dollars to legal aid. Though the hearing was postponed, it was hoped they could testify at a rescheduled hearing.

Chief Justice Hardesty acknowledged Nevada IOLTA-participating financial institutions for committing to the program and premium interest rates during this difficult COVID-19 pandemic period. He noted the total principal balances of all institutions are near the highest level ever at approximately \$620,000,000 which has been a factor in positively affecting remittances. 19 of 30 banks are continuing at a *Leadership Institution* level, paying .70% interest or more despite the temporary Order allowing accounts to pay .65% interest below the SCR 217 minimum of .70%.

He then recommended to the group that we stay the course until at least November 2021 and asked for feedback.

Raine Shortridge concurred, noting many are predicting an economic boom due to the flood of cash coming into the market. There is a lot of cash on hand which has not been seen in some time. Barbara Buckley also agreed with the recommendation, along with Annamarie Johnson.

Chief Justice Hardesty asked Connie Akridge about the amount of funds currently held in reserve by the Nevada Bar Foundation which is now \$500,000 due to \$300,000 being transferred from reserves to 2021 granting due to decreased remittances in 2020. A brief review of recent annual remittances are outlined in the rate review memo.

Justice Pickering commented that it would be nice for us to do a thank you to banks for their commitment to the program. The discussion then turned to how to express thanks to Nevada IOLTA participating financial institutions. Ideas included in the rate notice itself, a potential separate letter, and inclusion in the Nevada Bankers Association eNewsletter. Each would outline a thanks directly from the Co-Chairs. Nevada Lawyer magazine recognition ads continue and Brad will check on the schedule and see if a special twist might be workable.

NBA May 2021 Newsletter -

The IOLTA Report: Justice for *All*?

A Message on IOLTA (Interest on Lawyer Trust Accounts) from Nevada Supreme Court Chief Justice James Hardesty and Justice Kristina Pickering, co-chairs of the Access to Justice Commission

More than a year has passed since the COVID-19 pandemic struck, throwing our lives and economy into turmoil. Today, we are moving forward, regaining our footing. As we do so, it is appropriate to pause and acknowledge those who have helped our communities survive the pandemic. In terms of access to justice, the banking industry's multiple PPP efforts and payment deferral programs have been extraordinary.

Despite the economic downturn the pandemic brought, all 30 Nevada IOLTA-participating financial institutions have remained committed to the program, paying favorable interest rates on IOLTA accounts. Nineteen of 30 banks have continued to participate as *Leadership Institutions* maintaining premium rates during this difficult period. The difference this has made to many Nevadans is incalculable, and we want to take this special opportunity to thank you for your support.

The recent *Nevada Statewide Study of Legal Needs and Economic Impacts* exposed that 76% of the civil legal needs of low-income Nevadans go unmet. COVID-19 exacerbated the need, doubling the inquiries to Nevada's already under-resourced legal aid providers.

As one might expect, court filing fees and certain grants critical to funding access to justice were curtailed during the pandemic. IOLTA remittances although reduced, continued the commitment of Nevada banks and made the overall funding shortfall much less than it otherwise would be. The Nevada Supreme Court also entered an Order for the Nevada Bar Foundation to transfer reserve funds to support legal aid efforts during this time of need. And we continue to support the requirement that banks have a physical presence in Nevada to participate in Nevada IOLTA.

Your willingness during these difficult times to continue your participation in Nevada IOLTA and serve the legal community is commendable and very much appreciated. As Commission co-chairs, we would like to recognize Nevada IOLTA-participating banks and thank you for your ongoing commitment to serving Nevada's most vulnerable communities.

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.

MEET YOUR FINANCIAL HEROES

Annually, more than \$600 million is held in Nevada lawyer trust accounts. These financial heroes have agreed to pay favorable rates on all IOLTA accounts under deposit.

Leadership institutions pay premium rates.

The Nevada Bar Foundation grants more than 97% of the interest earned on these dollars to statewide legal service organizations serving more than 37,000 Nevada families.

American First National Bank

Bank of America

Bank of George

Bank of Nevada

Bank of the West

Chase

CIT

Citibank

City National Bank

East West Bank

Financial Horizons Credit Union

First Foundation Bank

First Independent Bank

First Savings Bank

First Security Bank of Nevada

Heritage Bank

Kirkwood Bank of Nevada

Lexicon Bank

Nevada Bank & Trust

Nevada State Bank

Northern Trust Bank

Meadows Bank

Pacific Premiere Bank

Plumas Bank

Royal Business Bank

Silver State Schools Credit Union

Town and Country Bank

US Bank

Valley Bank of Nevada (BNLV)

Washington Federal

Wells Fargo

NB



ACCESS TO JUSTICE COMMISSION

MEMO

Date: June 25, 2021
To: Access to Justice Commission
From: Connie Akridge, Chair, Nominating Committee
Cc: Nominating Committee, Brad Lewis
RE: Term Expirations and Membership Recommendation

The Nominating Committee of the Access to Justice Commission met this spring and early summer to discuss expiring terms, seek member interest to continue or need to roll off, and discuss candidates for potential Commission membership. Following guidance of Chief Justice Hardesty and Justice Pickering the Committee placed a special focus on candidates who could build bridges to diverse Nevada communities. The recommendation meets SCR 15 composition requirements.

The following members are recommended for reappointment:

- Adam Tully
- Judge Joanna Kishner
- Judge E. Alan Tiras
- Judge John Schlegelmilch
- Judge Nathan Tod Young
- Raine Shortridge
- Bobbette Bond
- Glen Stevens
- Kelly Bronaugh

The following members are recommended for replacement **by**:

- | | |
|--|--|
| • Noah Malgeri – Legal Aid Center rep. | Christena Georgas-Burns, 2(e) |
| • Julie Cavanaugh-Bill – State Bar of Nevada rep. | TBD soon by State Bar of Nevada, 2(f) |
| • Stacey Shinn – layperson | Annette Bradley¹, 2(i) |
| • Judge Frank Sullivan – District Judge, Family Division | Judge Cynthia Lu, 2(a) |
| • Sugar Vogel – Senior Law Project rep. | Diane Fearon, 2(e) |
| • Greer Sullivan – UNLV PILA | Mary “Kate” Groesbeck, 2(g) |
| • Connie Akridge – Nevada Bar Foundation | Margaret “Maggie” Lambrose, 2(e) |
| • Judge Tom Stockard – | Steven “J.T” Washington², 2(i) |
| • Latoya Bembry – Non-attorney | Milan Chatterjee³, 2(i) |
| • (Add diversity candidate) | Augusta Massey⁴, 2(i) |

¹Recently retired attorney Southern Nevada Health District

²Las Vegas Chapter National Bar Association

³South Asian Bar Association

⁴Las Vegas Chapter National Bar Association

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF CREATING
LIMITED SCOPE REPRESENTATION
RULES OF CIVIL PROCEDURE.

ADKT _____

PETITION

The undersigned hereby petition the Nevada Supreme Court to adopt rules relating to unbundled or limited scope representation of client and to amend the Nevada Rules of Civil Procedure. The proposed rule is attached as Exhibit A. The background and bases for this petition are:

1. Limited scope representation would benefit pro bono programs across Nevada to allow attorneys to provide pro bono services in more cases. This would allow attorneys the flexibility to assist pro bono clients in discrete matters before the court without agreeing to take on the full scope of representation in contested litigation.

2. In 2003, the ABA Section on Litigation issued a Handbook on Limited Scope Legal Assistance and promoted limited scope representation as a way to make the court system fairer for those who cannot afford an attorney to represent them in the entire case. *See Handbook on Limited Scope Legal Assistance, A Report of the Modest Means Task Force, American Bar Association Section of Litigation, 2003 at 4.* The Handbook authors also noted that corporate lawyers often provide discrete tasks as services, including provision of a legal opinion or preparation of legal documents in a single transaction. *Id.* at 5. Finally, the authors noted that

pro bono services often provide this type of limited scope services in providing advice to pro se litigants who then file their self-help pleadings. *Id.* at 6.

3. The ABA issued a white paper in 2014 analyzing the various limited scope rules in states across the country. With respect to rules governing the entry of appearances and withdrawals, the Committee on the Delivery of Legal Services noted that courts that follow traditional models of full representation – where an attorney enters and then is presumed to be the litigant’s representative for all matters within the case – are “likely to result in more self-represented litigants who are less prepared to efficiently advance their legal matter. If we presume that self-represented litigation administratively encumbers the courts, it seems reasonable that a system clarifying limited appearances, and expediting withdrawals, would contribute to the smooth functioning of the courts.” *See An Analysis of Rules that Enable Lawyers to Serve Self-Represented Litigants* by the ABA Standing Committee on the Delivery of Legal Services, August, 2014 at 17.

4. In 2017, the Eighth Judicial District Court added rule 5.209 allowing for the withdrawal of attorneys in unbundled or limited services agreements.

5. EDCR 5.209 allows for the efficient withdrawal of an attorney who enters into a limited scope representation agreement with a client when the scope of the services have completed. The rule requires that the attorney notify the court of the limitation in the first paragraph of the first paper or pleading filed on behalf of the client and notify the court of the limitation before every hearing in which the attorney appears.

6. In order to withdraw the attorney then files a Notice of Withdrawal specifying that the limited services have been completed. The Notice of Withdrawal cannot be filed within 21 days of a schedule trial or evidentiary hearing.

7. Adopting such a rule would allow pro bono legal services programs to place more cases with attorneys on a pro bono basis. The attorneys would not feel constrained in accepting cases in anticipation of having to at all times enter for the full scope of the trial. In many cases, pro se litigants could benefit from an attorney willing to assist him or her at a Case Management Conference, motion hearing or settlement conference. This would possibly result in more cases being resolved without having to go through trial with unrepresented litigants who are unaware of the court rules and processes.

8. Therefore, we request that the court place this matter on its administrative docket, solicit public comment, and consider the proposed limited scope representation rules, attached as Exhibit A.

Dated this 15th day of May, 2021

EXHIBIT A

ADOPTION OF RULE ____ OF THE NEVADA RULES OF CIVIL PROCEDURE

- (a) An attorney who contracts with a client to limit the scope of representation shall:
 - (1) State that limitation in the attorney's Notice of Appearance for Limited Representation or 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.



Date: June 14, 2021

To: Members of the Access to Justice Commission

From: Southern Nevada Senior Law Program

Re: Access to Justice – Updates

1. Senior Law Program greatly appreciates the ongoing generous support of Legal Aid Center of Southern Nevada and Nevada Legal Services, and especially during the past 60 days. While the Eviction Matters volume was increasing and SLP was seeking to fill a Staff Attorney and a Legal Assistant position (2 out of our 14 employee slots) LACSN and NLS were understanding of providing extra support to our seniors in crisis. LACSN also kindly provided valuable specific training on Evictions conducted by their expert, Jim Berthold, in our office on June 10.
2. In the third week of May, SLP recalibrated our calendaring to be able to better respond to the urgent calls for assistance of seniors facing eviction. By managing our requests for important, but not urgent, estate planning appointments somewhat differently, we are better positioned to handle the influx of urgent eviction matters even with staffing of four attorneys, out of our normal staffing of six attorneys.
3. As of this date, SLP has onboarded an experienced Legal Assistant and has a start date of July 6, 2021, for an experienced Staff Attorney.
4. Community Outreach Initiatives summary: SLP is collaborating with The Center, Jewish Family Services Agency, Three Square's Golden Groceries, Nevada Senior Services, Helping Hands of Vegas Valley, Delivering with Dignity, and other nonprofits to create awareness of our services.
5. At the State Bar of Nevada Annual Conference in San Diego June 16-19, 2021, we will be launching a concerted campaign to enroll attorneys who are not yet involved in pro bono cases, to sign on with SLP to provide pro bono services with an emphasis on estate planning matters of POAs and wills.
6. Success Story
 - a. In May, one of our Staff Attorneys was able to assist Eric, a 68-year-old client, who received a 7-Day Pay or Quit Eviction Notice. He lost his job at the Las Vegas Convention Center during the pandemic and was barely making ends meet. He had received some rental assistance from CHAP in the past, and also applied to the City of Las Vegas Rental Assistance Program. While he was waiting for approval from the City of Las Vegas Program, his landlord served the eviction notice. Much to Eric's great relief, SLP was

able to compile all the paperwork the client needed to claim the CDC protection, file an Answer in Las Vegas Justice Court, and slow down the eviction process. We followed up with Eric before further court action took place, and happily were able to confirm that he received the City of Las Vegas Rental Assistance needed to pay the rent, both what was owed and up through the end of June.

- b. SLP assisted a couple, Charles and Paula, who are 83 and 74 respectively, with their issue related to a medical services scam. They were persuaded into paying for a neuropathy program totaling \$13,600, which they were misled into believing would provide medical treatment that could “cure their neuropathy and pain issues.” However, the medical services provided by the doctor failed to relieve any pain emanating throughout our clients’ body; and the terms of payment were never explained to our clients. They realized they were duped by the doctors and the doctor’s unethical marketing strategy of promising pain free living. Our clients stopped the treatments but were being pursued by the doctor for the residual money owed under the neuropathy program. Unaware how to handle the debt collection calls and debt, these clients contacted our office to seek legal assistance. One of our Staff Attorneys reviewed the paperwork and wrote a demand letter to the doctor seeking reimbursement of the money paid by my clients due the doctor’s breach of contract and deceptive trade practices. After several discussions and a letter, the doctor agreed to reimburse my clients \$7,500. If not for SLP, Charles and Paula would have been forced to struggle to pay the debt or face the threat of a lawsuit, which was incredibly stressful for them. Fortunately, these clients were able to reach out to our office and have the dedication of our elder law attorneys to research and advocate for their rights.



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

Access to Justice Commission June 2021 Meeting Informational Report

Washoe Legal Services Case Statistics

Washoe Legal Services has 2975 current open cases. Between January 1 and May 31, 2021, we opened the following types of cases:

Open by Program & Legal Problem Code

Row Labels	Count of Matter/Case ID#
Adult Guardianship	127
33 Adult Guardianship / Conservatorship	127
Child Ad	266
30 Adoption	9
33 Adult Guardianship / Conservatorship	1
35 Parental Rights Termination	1
42 Neglected/Abused/Dependent	219
44 Minor Guardianship / Conservatorship	32
45.0 Cont. Jurisdiction	4
Consumer-Housing (General)	12
02 Collect/Repo/Def/Garnsh	2
08 Unfair and Deceptive Sales Practices (Not Real Property)	1
63 Private Landlord/Tenant	9
Immigration (General)	61
81 Immigration/Naturalization	61
Intake	14
09 Other Consumer/Finance	1
63 Private Landlord/Tenant	13
Jail	1
75 SSI	1
Pro Bono	24
21 Employment Discrimination	1
30 Adoption	1
31 Custody/Visitation	6
32.1 Divorce with Custody	3

35 Parental Rights Termination	1
42 Neglected/Abused/Dependent	2
44 Minor Guardianship / Conservatorship	3
62 Homeownership/Real Property (Not Foreclosure)	2
63 Private Landlord/Tenant	1
68 Mortgage Predatory Lending/Practices	1
77 Veterans Benefits	1
83.0 Prisoner's Rights	1
85 Civil Rights	1
Self Help	4
31 Custody/Visitation	3
32.1 Divorce with Custody	1
SLC	35
09 Other Consumer/Finance	3
51 Medicaid	1
61 Federally Subsidized Housing	1
62 Homeownership/Real Property (Not Foreclosure)	10
63 Private Landlord/Tenant	5
65 Mobile Homes	1
69 Other Housing	2
75 SSI	1
81 Immigration/Naturalization	2
95 Wills and Estates	5
96 Advanced Directives/Powers of Attorney	2
99 Other Miscellaneous	2
Victim Advocacy	40
31 Custody/Visitation	9
32 Divorce/Sep./Annul.	5
32.1 Divorce with Custody	6
39.0 TPO	20
(blank)	
(blank)	
Grand Total	584

Cases Closed between January 1 and May 31, 2021

Row Labels	Count of Matter/Case ID#
ADSD - Financial Benefit of Case	1
Appointed Guardian Ad Litem for client	1
Criminal referral	11
Document Assistance/Self-Help	486
Enforced tenant's rights to decent, habitable housing	3
Established Citizenship	13

Financial Value	3
Name Change	1
No Main Benefit for Client	40
No Outcomes	235
Obtained a divorce, legal separation, or annulment	1
Obtained a living will or health proxy or power of attorney	24
Obtained advice, brief service or referral on Consumer matter	72
Obtained advice, brief services or referral on a Family Law matter	73
Obtained advice, brief services or referral on a Health matter	1
Obtained advice, brief services or referral on a Housing matter	262
Obtained advice, brief services or referral on a matter not listed	94
Obtained advice, brief services or referral on an Income M. matter	1
Obtained advice, brief services or referral on an Ind. Rights matter	4
Obtained advice, brief services or referral on Employment matter	9
Obtained advice, brief services, or referral on Immigration matter	20
Obtained Green Card	7
Obtained U-Visa	3
Obtained/preserved/increased benefits/rights of disabled persons	1
Obtained/preserved/increased Unemployment comp. benefit/right	2
Other Lump Sum Recovery	1
Other Monthly Payment Received	1
Overcame denial of tenant's rights under lease	2
Overcame illegal charges by landlord	2
Overcame illegal sales contracts and/or warranties	2
Placed case for pro bono representation	1
Prevented denial of public housing tenant's rights	1
Prevented eviction	59
Renewed/Maintained Status	4
Represented in a consumer matter	2
Represented in an immigration matter	4
Represented in Child Advocacy Program	290
Represented in civil matter not listed	3
Represented ward in guardianship proceeding	40
Represented/Assisted with probate or other estate matter	2
Social Security	7
Unknown Outcome	35
(blank)	1044
Grand Total	2868

Outreach

Child Abuse Prevention Month

Child Abuse Prevention Month Outreach and Awareness Campaign April 2021. In lieu of our annual Child's

Voice Luncheon, we embarked on an awareness campaign in which we collaborated with community partners to market, fundraise, and conduct events. A summary of our activities is provided below.

Marketing Materials:

- Marquees and digital billboards at GSR (04/02/2021)
- Marquees and Billboards throughout the month of April at The Atlantis, The Nugget, THE ROW, and Lamar Advertising (WLS logo present on each)
- Packets, posters, and yard signs with WLS logo and community partner logos distributed to 50 schools, 30 law firms, WLS board members, 30 churches, community partners
- o All materials also to be given to WLS board members. Law firms to be determined from the list of offices engaged in pro-bono panel and program
- Social Media Campaign to kick off on April 2nd for Go Blue Day on Facebook, Instagram, and Twitter
- Landing page to be created for the WLS website for donations and list of events and community partners
- 300 pinwheels to be distributed, donated by PCANN (Prevent Child Abuse Northern Nevada)
- Informational packet about how to get involved, final page thanking all community partners and donors
- Video produced by CASA Foundation about Child Abuse Prevention with WLS included in credits

April Events:

- March 22 – 29 distribution of materials to Law firms, board members, community partners
- Send out press release and media kit focused on campaign and community partners
- April 2 “Go Blue Day”
- Kick off ceremony in Carson City with speaking opportunity
- Radio PSA day with Radio interviews to be done by Tiffanie Story of CASA
- All employees of WLS, CASA, and other community partners dress in blue
- Social media kick off
- GSR lights go blue in recognition of CAPM
- April 5 Pinwheel planting day and first direct ask for donations on social media
- Touch base with firms who had pinwheels and yard signs distributed for information and pictures about their pinwheel planting
- April 26 proposed CLE focusing on CAP and Domestic Violence with 1 hr. presentations by each department
- DAILY posts to all forms of social media

Campaign Community Partnerships: (This includes partners WLS is recognizing for the sponsorship of the 2020 Childs Voice Luncheon in the case where they donated their sponsorship fees in lieu of the event)

- Washoe CASA Foundation
- Renown Health - \$3000.00 donation acquired by CASA (materials)
- St. Mary's Hospital - \$1500.00 donation acquired by CASA (materials)
- Child Advocacy Center
- Great Clips - \$1500.00 donation acquired by CASA (materials)
- Bremer Whyte Brown & O'Meara, LLP
- McDonald Carano
- Plenium Builders
- Northern Nevada HOPES
- Silverman Kattelman Springgate, Chtd.

- Meadows Bank
- The Reno Aces
- Gunderson Law Firm
- Jennifer Rains
- Judge Cynthia Lu
- Reno Police Department
- Washoe Sheriff's Department
- Lamar Advertising Company
- The Nugget Resort
- Grand Sierra Resort
- The Atlantis Resort
- THE ROW RENO

Older Americans Month

We did a social media campaign for Older Americans Month in May where we posted content like this highlighting issues relevant to Seniors and Senior safety.

Washoe Legal Services
May 5 · 🌐

Washoe Legal Services
May 7 · 🌐

May is Older Americans Month. Learning and exploring reduces cognitive decline. There are hundreds of online resources for seniors who want to learn from home. From video livestreams of zoos and museums to open online courses, there are mentally stimulating ... [See More](#)

THE ELDERLY & THE WORLD WIDE WEB

The internet is no longer the exclusive domain of younger people. Over the past years, more and more elderly people have started venturing online. They have lower rates of technology adoption than the general public, but this group is more digitally connected than ever. **Studies show that educated seniors with higher incomes tend to use the internet at higher rates.**

👍 Like 💬 Comment ➦ Share

Other Outreach

The last few months has seen a return to in person outreach. We were asked to go for an on-site visit to Crossroads Sober Living and Transitional Housing to provide answers to legal questions, information, and support to their residents. We served residents who are actively pursuing living and working outside the facility and provided information pertaining to housing, debt reconciliation, employment, among others.

We also attended outreach events for Catholic Charities, attended Non Profit Night at the National Automobile Museum. We will participate in Juneteenth Celebrations this weekend and have a vaccination clinic scheduled through Immunize Nevada on June 23, 2021 from 9 am to 1 pm where all walk in clients 12 and older and staff can receive vaccinations.

Case Stories

Client Case Stories: Adult Guardianship

Case #1

Client is a 72 year old from Carson City who wants to leave her husband and move to Oklahoma with her son and extended family. The husband filed for guardianship in Carson City and, before Washoe Legal Services was appointed, obtained a temporary guardianship. At the client's direction, Washoe Legal attorneys filed a competing petition to appoint an independent private guardian. After a three hour, five witness hearing, the court appointed the private guardian and approved her residence in Oklahoma.

Case #2 – Washoe County

This client, who has intellectual disability, wanted to terminate his guardianship, therefore WLS connected him to a neuropsychologist to provide an updated capacity evaluation. Because his guardian has relied on an internal medicine specialist to corroborate the continuing need for a guardianship, the new, specialized evaluation, if favorable, should convince the guardian to agree to termination. Later, at a hearing, guardianship was terminated over this client's estate because it was not necessary; his parents are already representative payees for client's social security benefits. His mom filed for guardianship but after meeting with client and discussion with mom, she decided to dismiss her guardianship petition and use the Disabled Adult's Medical Power of Attorney instead.

Client Case Stories: Housing & Consumer Protection

Case #1 – Washoe County

WLS represented 3 college students renting a 76-year old house. There had been 4 backups in plumbing that have caused serious flooding. The Landlord tried to evict for nuisance and breach of the lease. We were able to argue that as per statute, there are significant issues of fact in dispute (and the tenants have a defense to the eviction) requiring dismissal of the summary proceeding and requiring the landlord to file a formal eviction. Following dismissal without prejudice we were able to negotiate a hold harmless for the Tenants to move out and break their lease (without a penalty).

Case #2 – Washoe County

Represented a tenant in a no cause eviction. Landlord challenged the tenant's right to utilize a CDC Tenant's Declaration claiming that the tenant was gainfully employed and was not really seeking governmental assistance. We demonstrated that Tenant used reasonable efforts to apply for assistance (although denied) and additionally was no longer employed. Eviction was dismissed.

Case #3 – Washoe County

We had a one client who was working at the motel where she also lived at. She was served with a No Cause eviction. When interviewing her, she told her WLS attorney that she was fired from her job because she had gotten COVID 19. She said that a family friend was interpreting for her when she was told that she was fired. We talked to that family friend and got her to sign a written statement, confirming that the client was being fired for having COVID 19. Because client got the eviction notice a day before she was fired, and because client had gotten COVID a few days before that, the WLS attorney argued that client was being evicted because she had COVID 19 also. We also argued that even though the client had not been behind on rent, she had lost her job as a result of the pandemic, and, because she also applied for rental assistance and gave the landlord a tenant declaration, she was a covered tenant under the eviction moratorium. The judge accepted the arguments that she was covered by the eviction moratorium, and that she was being evicted for having COVID 19 and dismissed the eviction.

Client Case Stories: Immigration Unit

Case #1

Client is a victim of human trafficking who was originally apprehended at the border and placed into removal proceedings under DOJ's Executive Office for Immigration Review, where the government is actively trying to deport him. We took on the case at the very beginning of COVID-19, only months before he was about to turn age 18 and perhaps have jurisdictional issues regarding the filing of his immigration benefits. We helped him file for both asylum as a minor, and a T-visa, as a victim of trafficking.

While the T-visa was timely sent, due to USPS delays, the application for asylum did not arrive timely. With very little notice, we responded to an immigration court scheduling order, filed pleadings, and included both a motion to move to the status docket, and a motion to vest asylum jurisdiction which would obligate the court to await any removal hearing while his cases are pending.

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

Case #2

Client was previously a victim of crime - Obstruction of Justice, in which an acquaintance of the attackers in his assault, tipped off the attackers, to avoid having them get caught. Client was helpful in the investigation and had previously applied for a U visa as a victim of this crime. Although he had this pending immigration application prior to coming to Washoe Legal Services, he recently became the victim of domestic abuse. In reviewing his case, while his U visa remains pending, given the domestic violence, he also qualifies for immigration protections under the Violence Against Women Act (VAWA). Given the severe administrative and processing delays in obtaining permanent resident status from a U visa application, for those eligible, VAWA remains the preferred benefit. With our help he will have another route to becoming a permanent resident and ultimately will save about 4-5 years in his quest to become a lawful permanent resident of the United States.

Client Case Stories: Child Advocacy Unit

Case #1 –

Clients are five young children who are all full biological siblings. The youngest sibling was born after the older four had already been placed outside of the home. The current relative placement did not have space for the youngest sibling, and so the siblings were separated. The Child Advocacy Attorney fought to ensure sibling visitation was occurring once the youngest was placed in care. Further, the Child Advocacy Attorney filed a Motion for Sibling Visitation Order to ensure regardless of the permanency plan, the sibling bonds would be protected. The Child Welfare Agency is against such an order, which is why a motion was required. The matter is currently pending.

Case #2

Client is 16 years old, and has been in foster care for 3 years. The client suffers from emotional and mental health issues. The client attributes these struggles to being in the foster care system and desperately wanting to reunify with his mother. Prior to the 36-month Permanency Hearing, Washoe County Human Services Agency filed a report with the court recommending the permanency plan of Another Planned Permanent Living Arrangement (APPLA), effectively that the child would be aging out of foster care. Before the court can approve a plan of APPLA, the court must find (pursuant to federal law) that the Agency has exhausted all efforts in achieving the other permanency plans (reunification, guardianship, and adoption), and inquire as to the child's desires.

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

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

Client Case Stories: Domestic Violence Unit

Case #1

Client was battered by spouse, who was arrested. Spouse has prior child endangerment conviction, so this arrest violated his sentencing terms and he is subject to revocation. Spouse has retained private criminal defense and private divorce counsel at the same firm who were bullying client (as they did during child endangerment proceedings) to dissuade her from aggressive prosecution and divorce. WLS is now the buffer for client to prevent that bullying, extended the TPO to allow time for no contact order in divorce case, obtained child support, and spouse has no contact w/our client or children pending resolution of his criminal matters and therapeutic intervention.

Case #2

Returning client, short term marriage to abusive/addicted spouse. Obtained 1 year EPO, spouse retained counsel and filed for divorce, now assisting client in finalizing divorce on favorable terms including being able to stay in current residence long enough to find suitable alternative housing for herself and her children.



Family Law Self-Help Center / Protection Order Office

How to reach us:

The Self-Help Center/Protection Order staff is available in person, by phone, email, and online chat. All of our contact information is available at <https://www.familylawselfhelpcenter.org/contact>. We encourage the public to contact us remotely if possible to reduce crowds at the courthouse. Customers can reach us through the following methods Monday – Friday, 8am – 4pm:

In Person: Customers can book morning appointments (available 8-11am) online at <https://v2.waitwhile.com/welcome/familylawselfhe>. They can also add themselves to our waitlist from the same site. If they are unable to do this themselves, they can come into the center and staff will add them to the list.

Phone: (702) 455-1500

Online Chat: www.familylawselfhelpcenter.org – click the red “start chat” button on lower left.

General Email: flshcinfo@lacsnc.org

TPO Email: tpo@lacsnc.org

Customers served in 2020:

Prior to the COVID-19 pandemic, the vast majority of customers were served by in person services. The pandemic required the Family SHC to broaden its methods of service, which resulted in staff assisting a record number of self-represented litigants in 2020. The following chart demonstrates how many customers were served through the different modes of service available through the years.

	2020	2019	2018	2017	2016	2015	2014
In-Person	13,956	62,587	49,669	49,473	48,743	43,103	40,612
Telephone	50,077	0	0	0	0	0	0
Email	7,129	1,573	0	0	0	0	0
Live Chat	4,223	0	0	0	0	0	0
Mail	295	360	277	0	0	0	0
Total	75,680	64,520	49,946	49,473	48,743	43,103	40,612

In person services were available through mid-March 2020, and phone services were available from mid-March through the end of the year. We launched the live chat feature on our website at the end of October 2020.

Even more people accessed our resources online through the www.familylawselfhelpcenter.org website. In 2020, a record of 1,185,821 people accessed the website and visited 3,772,695 pages of legal information, a 9.5% increase over the prior year.

Notable accomplishments:

- **Domestic Violence Protection Orders:** When all services went remote, language barriers and technological barriers presented significant difficulties for many domestic violence victims seeking protection orders. For these victims, staff completed the application materials for them over the phone after gathering all pertinent information, and then staff facilitated filing the applications directly with the court through email. *Over the course of 9 months, staff assisted in the completion and filing of 854 TPO applications remotely.*
- **Tyler guided interviews.** We now have 10 guided online interviews at <https://nevada.tylerhost.net/SRL/srl/> that assist self-represented litigants in completing their forms. When the pandemic hit, we added a DV TPO interview in record time which became the primary method for applicants with technical means to complete their forms. The TPO interview is currently deactivated and being redesigned to accommodate the new statewide forms, but should go live again shortly. *A total of 8,233 family law interviews were completed in 2020.*
- **Esignatures and fillable online forms:** Nearly all of our online forms are now fillable and include e-signature options. This gives litigants with technical means the ability to efile without needing to print, fill out, scan, and upload.
- **Efiling.** Many SRLs sought self-help staff assistance with e-filing documents. Staff familiarized themselves with the e-filing system in an effort to help customers navigate the basics of the e-filing portal when possible, though we refer litigants to Tyler support for issues beyond the basics. In addition, we created an e-filing guide targeted to self-represented litigants. The guide is available on our website in English and Spanish.

Re-opening to in-person services:

The FLSHC re-opened to in person services in April 2021 on Fridays only, and in May full time. Staff continue to be available by phone, email, and live chat to reduce the number of people visiting in person.

Since reopening, we have found that our customer breakdown is roughly 140 a day by phone, 120 a day in person, and about 40 a day by email/chat combined (the availability of live chat was temporarily reduced while we focused on in-person services, but is now available 4.5 hours per day).

Overall, we are currently assisting approximately 300 customers a day by all methods. This is provided by a team of 12 consisting of the directing attorney, staff attorney, and 10 legal information facilitators, along with a part-time law clerk when available.



Second Judicial District Court
State of Nevada
Washoe County

Resource Center

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

ResourceCenter@washocourts.us
www.washocourts.com/ResourceCenter

Ongoing Response to COVID

The Resource Center team continues to serve the community by phone, email, and via live chat during regular business hours. We have seen a continuous increase in the number of patrons accessing our remote services. Due to the ongoing COVID-19 pandemic, the Second Judicial District Court Resource Center was still closed to walk-ins through the end of the first quarter and began taking limited appointments in April. Walk-ins are assisted if there are available appointment slots.

Summary of services

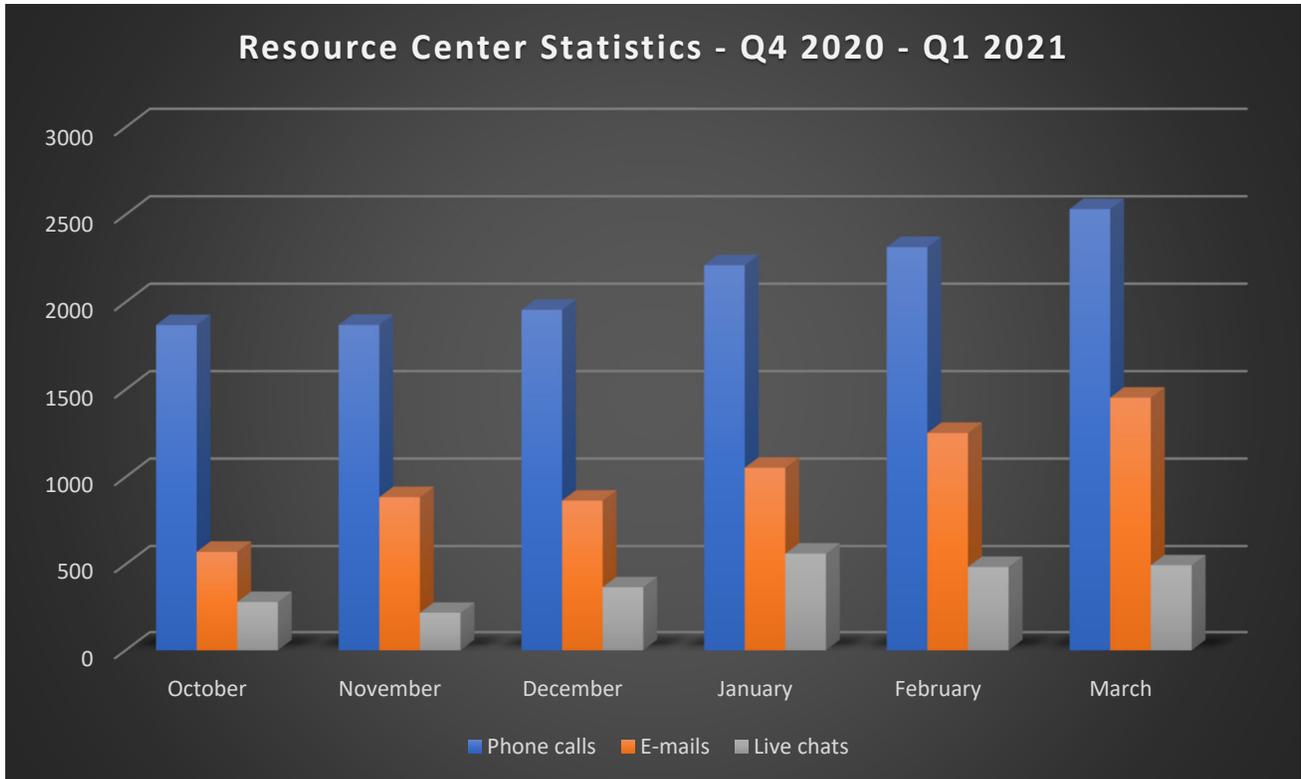
- Live chat on our website at www.washocourts.com
 - Visitors from around the world may get in touch with a team member via a popup chat window on our website. There are no automated chat bots – the visitor simply types their question and is connected to a team member for assistance.
- Team members available 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
 - We can answer most general questions that people have, or direct people to the correct department.
- E-filing support at 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 trainings
 - We still 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.
- In-person appointments
 - As of April, in-person appointments have been offered daily, where patrons can complete almost any court business they could have prior to the pandemic. Payment appointments are limited to Thursday mornings, and will be offered 3 days per week in June.
 - Walk-ins are assisted if there are available appointment slots.



Second Judicial District Court
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Statistics

The number of patrons accessing our remote services continues to increase. Compared to the 4th quarter of 2020 with a total of 5,695 phone calls, 2,322 e-mails, and 866 live chats, in the first quarter of 2021 we have had 7,058 phone calls, 3,759 e-mails, and 1,542 live chats.





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
www.washoecourts.com/LawLibrary

Ongoing response to COVID

Due to the ongoing COVID-19 pandemic, the Washoe County Law Library, located inside the Second Judicial District Court, has been closed for walk-in services. As of May 5, 2021, we began offering appointments for in-person legal research. While largely 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.

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. Law Library staff also monitors a chat box on the Law Library website. In February, we resumed our contactless book lending service.

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 continuing to offer this vital program utilizing a “virtual” format, using the Zoom platform.
 - We offer the Family Law program every Tuesday, General Law every Wednesday, and Probate Law on the 1st and 3rd Wednesdays of the month.
 - Patrons can sign-up for the program on our website, and we recently acquired a new scheduling product called Calendly, that makes the sign-up process more user-friendly.
 - The program 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 get a library card without physically coming into the Law Library. Anyone wishing to get 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
 - With our physical library collection being inaccessible to the public, we are offering contactless book lending. Patrons can browse our library catalog online or contact us if they are looking



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

- When COVID cases surged in November, we had to temporarily suspend this service, but we resumed in February.
- Lexis Digital Library
 - We 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 that 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.
- Events
 - Lexis Digital Library training for the public was held on April 30, 2021, via Zoom.
 - Our annual Law Day event, sponsored by the Northern Nevada Women Lawyers Association was held on Saturday, May 1, 2021.
 - The NNWLA Law Day event is a large-scale Lawyer in the Library program.
 - This event is traditionally held in-person. Due to COVID, we transitioned it to Zoom.
 - We partnered with Westlaw to offer a Substance Abuse CLE class on May 6, 2021, via WebEx.
- Preparation for continued re-opening of the building
 - In anticipation of continued re-opening of the building, we installed a self-checkout kiosk for patrons that utilizes RFID technology. Offering self-checkout will assist with social distancing efforts and limit contact between patrons and staff.
 - Plexiglass sneezeguards have been installed at the Law Library reference desk.
 - Public-use computers have been relocated and spread out throughout the library space, to provide for physical distancing between patrons.
 - PPE and sanitary supplies have been purchased and are available for both patrons and staff.



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- In-Person Legal Research Appointments
 - As of May 5, 2021, we started offering in-person legal research appointments to our patrons, which includes access to Westlaw, Law Library books, computers, printing, scanning, access to the Court record via Contexte, and more.
 - Appointments can be made via the Law Library 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, the need for our services has not decreased in these challenging times. From January to May 2021, we have had 1,760 phone calls, 942 chats, and 924 e-mails, and assisted 536 patrons at our virtual Lawyer in the Library program.

NBA Newsletter

The IOLTA Report: Justice for *All*?

Who Have You Helped? See How IOLTA Funds Improve Lives

The Southern Nevada Senior Law Program (SNSLP) is supported by IOLTA funds, which enables us to support real people in need in our community. For seniors aged 60 years and older, the impacts of the pandemic were a strain on their financial, emotional, and mental condition. The roughly 1800 vulnerable clients that SNSLP helped in the past 12 months have been served by quality legal assistance and saved from some potentially disastrous situations. SNSLP is happy to share three stories with you that highlight the critical difference IOLTA funds have made in Southern Nevada.

Sorting out Social Security Benefits can be Daunting

We had a client call last week to share her heartfelt thanks to one of our attorneys, who had helped her resolve a difficult situation. Patricia N., 73 years old, had an issue due to Social Security alleging that she had been overpaid several thousand dollars. The client had no idea how this may have occurred and did not have the money that they were seeking to recover. We assisted her with the appeal of the alleged overpayment – via a Request for Reconsideration. Our attorney reviewed the document and made suggestions of pertinent information to add in order to fully tell her story. At the same time, we informed her that if the initial appeal was unsuccessful, she could attempt another type of relief, a “Request for Waiver of Overpayment Recovery”. This type of relief excuses you from paying back the alleged overpayment and is based on your budget and various other factors. SNSLP provided the form and helped with its completion. Ultimately, Patricia did need the second appeal process and with our dedicated assistance, she prevailed with the “Request for Waiver of Overpayment Recovery”. The final result was Patricia did not have to pay any of the alleged overpaid amount back, which meant she could pay her rent and keep food on the table for her and her family. She told us that we had “saved her life”.

Unwarranted Warranty

Alan S. is a 77-year-old client who was tricked into buying an extended warranty for his vehicle for \$2800. The sales representative on the phone had led him to believe that the warranty was from the manufacturer, which it was not. Further, Alan’s car still had many years of the original manufacturer’s warranty remaining. SNSLP sent a demand letter to the extended warranty company requesting a refund of the amount paid for the warranty based on fraud and deceptive trade practices. After several communications with the company, Alan received a full refund of all amounts paid for the extended warranty. Alan shared with our attorney that \$2800 is more money than he makes in two months and represents all the difference in his life.

Veteran Affairs Put in Order

A veteran, Gary J., came SNSLP for help because he thought he was the victim of identity theft. His stimulus check had not arrived, yet he got a notification that it had gone to an account that he did not

recognize. Our attorney researched the matter and discovered that if you are a social security recipient and veteran, the benefits will often go to your Direct Express card. Further, it was discovered that when it is credited to your direct express card, a random account number is generated that the client would probably not recognize. To his tremendous relief, Gary ultimately received all the stimulus benefits that he had previously thought had been stolen.

These Results Would Not Be Possible Without Your Help

The Southern Nevada Senior Law Program works every day to make lives better for at-risk senior Nevadans. IOLTA funds support our efforts. Thank you for participating in this program; IOLTA bolsters your other efforts to build better communities in Nevada every day.

By Diane F. Fearon, Executive Director, Southern Nevada Senior Law Program

*Names changed for privacy

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 May 2021 Newsletter -

The IOLTA Report: Justice for *All*?

A Message on IOLTA (Interest on Lawyer Trust Accounts) from Nevada Supreme Court Chief Justice James Hardesty and Justice Kristina Pickering, co-chairs of the Access to Justice Commission

More than a year has passed since the COVID-19 pandemic struck, throwing our lives and economy into turmoil. Today, we are moving forward, regaining our footing. As we do so, it is appropriate to pause and acknowledge those who have helped our communities survive the pandemic. In terms of access to justice, the banking industry's multiple PPP efforts and payment deferral programs have been extraordinary.

Despite the economic downturn the pandemic brought, all 30 Nevada IOLTA-participating financial institutions have remained committed to the program, paying favorable interest rates on IOLTA accounts. Nineteen of 30 banks have continued to participate as *Leadership Institutions* maintaining premium rates during this difficult period. The difference this has made to many Nevadans is incalculable, and we want to take this special opportunity to thank you for your support.

The recent *Nevada Statewide Study of Legal Needs and Economic Impacts* exposed that 76% of the civil legal needs of low-income Nevadans go unmet. COVID-19 exacerbated the need, doubling the inquiries to Nevada's already under-resourced legal aid providers.

As one might expect, court filing fees and certain grants critical to funding access to justice were curtailed during the pandemic. IOLTA remittances although reduced, continued the commitment of Nevada banks and made the overall funding shortfall much less than it otherwise would be. The Nevada Supreme Court also entered an Order for the Nevada Bar Foundation to transfer reserve funds to support legal aid efforts during this time of need. And we continue to support the requirement that banks have a physical presence in Nevada to participate in Nevada IOLTA.

Your willingness during these difficult times to continue your participation in Nevada IOLTA and serve the legal community is commendable and very much appreciated. As Commission co-chairs, we would like to recognize Nevada IOLTA-participating banks and thank you for your ongoing commitment to serving Nevada's most vulnerable communities.

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.

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IOLTA at Work in Nevada

Nevada Legal Services (NLS) is the only statewide legal aid provider in Nevada, serving all 16 counties. NLS is also the only federally funded Legal Services Corporation (LSC) grantee in the state. NLS strives to provide equal access to justice for low-income Nevadans and to strengthen Nevada's communities. As we approach Independence Day, the following stories demonstrate how IOLTA (Interest on Lawyer Trust Accounts) funds are put to work creating independence for fellow Nevadans.

Complex Cooperation Restores Rights

Nevada Legal Services' client was placed under guardianship with the Elko Public Guardian's office for serious medical issues. NLS was appointed to represent her. However, as her condition improved, NLS's office realized that the client needed guardianship less and less. Through a collaborative process with the Elko Public Guardian, NLS coordinated with the client's friends and associates to identify areas where she needed decision-making support to develop a Supported Decision-Making Agreement, a less-restrictive alternative to guardianship. Persons with Supported Decision-Making Agreements retain their civil rights, legal capacity, and ability to control their life decisions.

NLS drafted a petition to terminate the guardianship and discharge the guardian, arguing the client no longer required a guardian because she had created a Supported Decision-Making Agreement to meet her needs. At the guardianship termination hearing, the district court judge ruled to terminate the guardianship, discharge the Elko Public Guardian's office, and restore the client's rights.

After the hearing, the client exclaimed, "This is day number one for my freedom!" This was the first case in Elko County in which a guardianship was terminated in favor of a Supported Decision-Making Agreement, since the Supported Decision-Making Act officially went into effect on July 1, 2019.

Envisioning a Bright Future

Nevada Legal Services' client was blind from birth. He wanted to be able to support himself, and he learned that he may qualify for a grant that helps blind individuals operate food venues in public buildings. NLS helped him complete the application process and qualify. After approval, NLS assisted with the paperwork to create his business. He was allocated space in the Mesquite Public Library for his café. The client moved to Mesquite, opened his café, *Table of Contents*, and is now succeeding as an independent businessman with plans to open another library café in Las Vegas.

Virtually all NLS's work is with Nevadans at or below 200 percent of the poverty level. Eligible clients are also restricted by assets. Though NLS represents low- and moderate-income Nevadans in federal and state courts, and in administrative hearings, most often, civil legal issues and administrative support are provided without the need for litigation.

IOLTA dollars help provide access to justice for everyone and opportunity for people to live independently. NLS thanks the Nevada IOLTA-participating financial institutions that help deliver independent lives to qualifying Nevadans.

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Public Awareness 062521 –

Since the March 26, 2020 report...

Twitter - We increased from 202,288 to 202,557 impressions and from 7,448 to 8,294 profile visits. We encourage you to follow us **@NevadaATJ**.