



# Nevada Supreme Court Access to Justice Commission

Meeting - Friday, November 5, 2021 1:00 PM – 2:30 PM

Join Zoom Meeting

<https://nvbar.zoom.us/j/83589576695>

You may simply join with computer audio if your computer has speakers/microphone.

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

Meeting ID: 835 8957 6695

888 475 4499 US Toll-free

877 853 5257 US Toll-free

## Meeting Agenda

- |  |                   |              |
|--|-------------------|--------------|
| <b>I. Opening Statements from Co-Chairs<br/>&amp; Commission Roll Call</b>   | <b>5 minutes</b>  |              |
| <b>II. Consent Agenda</b>  | <b>5 minutes</b>  | <b>Tab 1</b> |
| • Approval of June 25, 2021 Commission Meeting Minutes   |                   |              |
| <b>III. Discussion Items</b>   |                   | <b>Tab 2</b> |
| • <b>Vote on New Commission Member Fall Slate</b>  | <b>5 minutes</b>  |              |
| • <b>Welcome All New Commission Members</b>  | <b>2 minutes</b>  |              |
| • <b>Sugar Vogel and Elana Graham Recognition</b>  | <b>5 minutes</b>  |              |
| • <b>Eviction Mediation Update</b>   | <b>20 minutes</b> |              |
| ○ Current status   |                   |              |
| ○ 2022   |                   |              |
| • <b>Unbundled Services</b>  | <b>20 minutes</b> |              |
| ○ Update - Nevada Legal Services draft ADKT  |                   |              |
| ○ ABA model rule - <a href="#">Rule 1.2: Scope of Representation &amp; Allocation of Authority Between Client &amp; Lawyer (americanbar.org)</a> |                   |              |
| • <b>Statewide Technology and Self-Help Forms Committee</b>  | <b>10 minutes</b> |              |
| ○ Forms Drafting Subcommittee  |                   |              |
| • <b>IOLTA</b>   | <b>10 minutes</b> |              |
| • <b>Celebrate Pro Bono Week 2021</b>  | <b>5 minutes</b>  |              |
| ○ <a href="#">Celebrate-Pro-Bono-Week-2021-Free-Nevada-Legal-Help-for-the-Public-PUBLIC-VERSION-v3.pdf (nvbar.org)</a>                           |                   |              |
| • <b>Nevada Legal Services Ideas Feedback</b>  | <b>10 minutes</b> |              |
| ○ Research Update  |                   |              |
| ○ Emergency and Disaster Plan  |                   |              |
| • <b>Elder Grant – Public Library Legal Kiosk Program</b>  | <b>10 minutes</b> |              |
| ○ <a href="#">Legal Services Corporation Public Library Initiative</a>   |                   |              |
| ○ <a href="#">Minnesota Legal Kiosk Project</a>  |                   |              |



# Nevada Supreme Court Access to Justice Commission

Meeting - Friday, November 5, 2021 1:00 PM – 2:30 PM

- |                                |                  |              |
|--------------------------------|------------------|--------------|
| <b>IV. Reports</b>             | <b>5 minutes</b> |              |
| <b>V. Other Business</b>       | <b>5 minutes</b> |              |
| <b>VI. Informational Items</b> |                  | <b>Tab 3</b> |
- Celebrate Pro Bono Week 2021 Media Placements
    - [Fox 5](#)
    - [KOLO TV](#)
    - [Nevada Business](#)
  - State Bar of Nevada Dues Check Off Donations Progress
  - Legal Aid Provider Highlights
  - Self-Help Center Statistics
  - Triannual Provider Call Recap
  - Nevada Bankers Association *The IOLTA Report*
  - Public Awareness

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

All meetings are Fridays at 2:00 p.m. – 4:00 p.m.

**March 25**

**June 17**

**November 4**

### **Our Purpose**

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



## ACCESS TO JUSTICE COMMISSION

---

Access to Justice Commission Meeting Minutes  
Friday, June 25, 2021 – 2:00 p.m.

### **Commission Members Present**

Chief Justice James Hardesty, Co-Chair  
Justice Kristina Pickering, Co-Chair  
Connie Akridge  
Bobbette Bond  
Justice Elissa Cadish  
Deonne Contine  
Annamarie Johnson  
Judge Joanna Kishner  
Judge Bridget Robb  
Judge John Schlegelmilch  
Raine Shortridge  
Doreen Spears Hartwell  
Judge Connie Steinheimer  
Glen Stevens  
Judge E. Alan Tiras  
Anne Traum  
Adam Tully

### **Guests Present**

Sarah Bates  
Barbara Buckley  
James Conway  
Ricardo Cordova  
Diane Fearon  
Margaret Lambrose  
Christine Smith  
Michael Wendlberger

### **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. A roll call was conducted and approval of the March 26, 2021 minutes was requested. The minutes were adopted for the record after an attendee name was noted for correction.



### **Nominating Update**

During roll call it was noted that Noah Malgeri, formerly the Legal Aid Center of Southern Nevada Commission member representative is leaving his post. Consequently, previously the Commission Nominating Committee had recommended Christena Georgas-Burns to be the new Legal Aid Center representative. However, subsequently Michael Wendlberger was hired as the new pro bono director at Legal Aid Center. The Nominating Commission updated their recommendation and Chief Justice Hardesty requested a vote to amend the submission. It was moved, seconded and voted unanimously.

Additionally, Chief Justice Hardesty recognized Connie Akridge for her Medal of Honor Award received at the State Bar of Nevada Annual Meeting. He also acknowledged her hard work as Chari of the Nominating Committee and years of service to the Commission as the Nevada Bar Foundation representative. Chief Justice Hardesty requested that Ms. Akridge continue as a member of the Commission, while welcoming Margaret Lambrose, the new Nevada Bar Foundation president of the Board of Trustees. Ms. Akridge agreed to continue to serve and is planned to be voted in with the next Nominating Committee slate in November. Justice Pickering thanked Ms. Akridge for her service.

### **Legislative Update**

Chief Justice Hardesty outlined the many efforts, initiatives and challenges at hand with the continuing impact of COVID-19. He requested that Barbara Buckley offer a legislative update to the group. Ms. Buckley recognized Bailey Bortolin, statewide advocacy, outreach and policy director of the Nevada Coalition of Legal Service Providers for her efforts.

AB 107 was enacted. It helps clarify eligibility for fee waivers and will help to promote consistency in the application of same. AB 357 sets aside certain Nevada Attorney General settle funds as consumer protection funds for legal aid. It is part of a long-term solution to the expiring Bank of America mortgage grant sunset. AB 486 repealed and replaced SB 1. SB 1 allowed a 30-day stay in certain evictions to allow time for mediation now occurring under the Eviction Mediation Program (EMP). AB 486 continues to divert eviction cases to alternative dispute resolution efforts through the EMP. The goal is to have time so that \$365 million in federal rent relief dollars can get paid to landlords while keeping tenants housed during the continuing COVID-19 pandemic. The U.S. Department of Justice has recommended states and municipalities engage in eviction diversion programs and work toward the efficient distribution of available rental assistance dollars to affected parties. AB 141 automatically seals eviction records during the COVID-19 pandemic emergency.

Other matters addressed included victim arrest avoidance in instances of human trafficking, extending foster care assistance, continuing children's education in the case of acute care medical needs, enhanced autism services, reduced medical debt collection burdens, and TPO confidentiality.

Chief Justice Hardesty also shared an update related to Nevada's China Spring Youth Camp. The juvenile facility for boys has shut down due to lack of funding. The girl's facility remains open for now. A



working group has been established to address continuing funding problems. Judge Schlegelmilch shared Judge Young has been working on this issue extensively, and the goal is not to admit children into state care, rather an interim program for youth is needed in Nevada.

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

Chief Justice Hardesty thanked the Commission and staff for input and support of the EMP. The program input and building has been very involved and well supported. He also emphasized the great importance the U.S. Justice Department is putting on eviction diversion and all the bills that have been passed in support of the initiative. It is well known in Nevada and throughout the nation the great burden that has been placed on both landlords and tenants due to COVID-19, and billions of dollars are allocated to avoid the worst problems during the pandemic. He shared that Nevada has been a model of how various courts, agencies, and organizations can work together and he thanked everyone for their efforts. He did share that the responsiveness and flow of rental assistance needs to improve and flow more rapidly but was confident that the team assembled was up to the task.

Ms. Buckley echoed the need to use rental assistance funds to avoid evictions and get landlords paid. She shared that the joint meetings have been very helpful and remarked that it is one of the best partnerships she's seen come together in Nevada. All legal aid organizations are involved. Eight UNLV law students are assisting. Judge Bell and Steve Grierson have been instrumental by offering access to 14 available Regional Justice Center traffic walk-up desks to support eviction assistance including computer terminals, etc. Legal aid, Clark County, governmental representatives, nonprofits and more have all cooperated in support of "pop-up" eviction help centers in locations of need. Pop-ups have occurred in east Las Vegas, west Las Vegas, and Laughlin. Multiple future locations are planned.

A key new development for eviction self-help allows tenants and landlords to file automated Tyler Guide and File eviction documents from home or office.

### **IOLTA**

Chief Justice Hardesty thanked Commission member Raine Shortridge, Nevada State Bank, for his participation representing Nevada IOLTA-participating financial institutions and for serving on the IOLTA Rate Review Committee. It was reported that despite the IOLTA rate being reduced to .65% from the former SCR 217 minimum .70%, 19 of 30 financial institutions continue in the IOLTA program at .70% or greater. It was discussed that, given the rate environment, this is an outstanding commitment to the Nevada IOLTA program. It was further noted that the total principal balance of IOLTA accounts stands near \$620 million, an increase over last year. Still \$300,000 in Nevada Bar Foundation reserves were transferred to supplement 2021 granting.

Mr. Shortridge did share that bank margins are shrinking and the higher rates are a special effort on behalf of banks. Ms. Buckley thanked the Nevada Bar Foundation for allocating reserve funding to help mitigate reductions in 2020 IOLTA grant funding due to COVID-19.



### **Unbundling**

Nevada Legal Services requested that unbundling be allowed outside of Clark County to make it easier to place pro bono cases and developed a draft ADKT for discussion and consideration by the Commission. The draft was discussed and it was voted to be proceeded unanimously. While there was agreement with the concept, continued discussion and input on the details of the logistics, court rules, where it best fits, all v. only family matters, etc., need to be decided. It was determined that Justice Cadish and Justice Pickering would review and a public hearing should be scheduled in the future for further input.

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

The Co-Chair of the Forms Drafting Subcommittee, James Conway, (Co-Chair Lauren Pena) shared an update document for discussion and direction from the full Access to Justice Commission. The primary goal of this initiative is to provide better access to justice by making education and user-focused court forms available to Nevadans.

Based upon survey results and Committee input, we have identified the following forms to begin this trial recommendation:

- 1.) Fee waiver
- 2.) Eviction tenant answer
- 3.) Eviction landlord complaint
- 4.) Claim of exemption
- 5.) Small claims

Concepts/discussion items:

- Form changes to be coordinated by a continuing Forms Drafting Subcommittee including a representative of the Las Vegas Civil Law Self Help Center, the Reno Justice Court and Nevada Judges of Limited Jurisdiction. Accompanying education and instruction to be determined.
- Forms to be available on the [State of Nevada Self-Help Center \(nvcourts.gov\)](http://nvcourts.gov) website and/or a statewide portal.
- In the spirit of Nevada Supreme Court rulings, reinforce the expectation that forms available for statewide use are accepted in all justice courts.
- All civil v. civil and some criminal forms.

The Commission discussed and recommended advancement so that identified forms can be developed and reviewed at the next Commission meeting.

Chief Justice Hardesty shared that the Administrative Office of the Courts (AOC) is also advancing on court technology. \$6-7 million has/is being set aside over the next six years to support technology efforts. Brad will continue to keep in contact with new AOC Director Katherine Stocks.

### **Reports**

- Southern Nevada Senior Law Program – Chief Justice Hardesty commended SNSLP on a good written report and mentioned that with Diane Fearon now voted to be the new SNSLP Commission representative and due to the retirement of Sugar Vogel and Elana Graham, that perhaps it would be appropriate to develop certificates of appreciation for both Ms. Vogel and



Ms. Graham and invite them to attend the next Commission meeting to thank them for their service. Justice Pickering echoed that sentiment and all agreed. Ms. Fearon thanked the Justices for that recognition and welcomed it. She also thanked Legal Aid Center and Nevada Legal Services for their help coaching the SNSLP team to become more engaged with eviction help for seniors. Ms. Fearon also appreciated the opportunity to be at her first State Bar of Nevada Annual Meeting. SNSLP is now accepting pro bono volunteers and a form was developed for use at the conference. SNSLP is happy to be able to make a larger pro bono contribution.

- Nevada Legal Services – Annamarie Johnson reported that the Raiders has provided a \$200,000 grant to fund a veteran project for NLS. It will focus on eviction prevention.
- Legal Aid Center of Southern Nevada – Barbara Buckley shared that Legal Aid Center has two new capital projects under development. One is the purchase of the U.S. Bank building adjacent to their current headquarters. Valued at more than \$3 million, in support of Legal Aid Center’s programs, it was purchased for \$1.1 million. Legal Aid Center also needs a home for a new Family/TPO project.
- Washoe Legal Services – Deonne Contine shared that WLS is now fully open to the public again, the first time since the start of the pandemic. WLS has an upcoming CLE on housing and immigration to seek more pro bono volunteers. She is also working with James Conway of the Reno Justice Court on a potential new self-help facility at RJC.

Chief Justice Hardesty finished the meeting by sharing court funding needs that may be able to be funded with COVID dollars. He requested that ideas, suggestion, and requests from legal aid providers are welcome to potentially be shared at an upcoming Interim Finance Committee meeting.

### **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



**ACCESS TO JUSTICE COMMISSION**

---

**MEMO**

**Date:** October 27, 2021  
**To:** Access to Justice Commission  
**From:** Doreen Spears Hartwell, Chair, Nominating Committee  
**Cc:** Nominating Committee, Brad Lewis  
  
**RE:** Term Expirations and Membership Recommendation

The Nominating Committee of the Access to Justice Commission recommends the following:

The following members are recommended for reappointment/slot reassignment:

- Connie Akridge, 2(i)
- Adam Tully, 2(i)

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

- Julie Cavanaugh-Bill – State Bar of Nevada rep. **Marisa Rodriguez, 2(f)**
- Bronagh Kelly – Young Lawyers Section rep. **John Fortin, 2(g)**

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 clients in civil cases and to amend the Nevada Rules of Civil Procedure and/or other applicable rules accordingly. 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 in cases pending in the Family Division.

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 scheduled 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.



ACCESS TO JUSTICE COMMISSION

---

MEMO

**Date:** October 28, 2021  
**To:** Access to Justice Commission (ATJC)  
**From:** James Conway and Lauren Pena, Co-Chairs of the Statewide Technology and Forms, Forms Drafting Subcommittee  
**Cc:** Judge E. Alan Tiras, Ricardo Cordova, Shanna Pritchett, and All Members of the Statewide Technology and Forms Committee  
**RE:** Forms Drafting Subcommittee Vote Recommendation for Discussion

*Consideration:* The Co-Chairs of the Forms Drafting Subcommittee of the Statewide Technology and Forms Committee of the Access to Justice Commission submit this document for discussion and a vote from the full Access to Justice Commission.

We are asking for a discussion/vote to advance on sharing the initial court forms outlined below. Current Las Vegas Justice Court forms were shared for review, consideration and input. Feedback was gathered from courts in the north and south, along with input from the Nevada Judges of Limited Jurisdiction. All parties felt that these forms could be universally accepted.

As a result, the Subcommittee requests that a communication from the Access to Justice Commission explaining the program and encouraging universal acceptance by all courts be sent to begin the effort to make the most commonly used forms statewide consistent for sharing and website content.

With this support, we have the willingness of [www.nvcourts.gov](http://www.nvcourts.gov) to update their website with the initial forms below, and we would encourage other courts to do the same.

A continuing issue will be the easy and convenient electronic filing of universally accepted court forms due to a multitude of differing court management systems now in use. Other issues include courts without electronic filing, and the associated implementation and continued maintenance costs, as forms do change and are updated from time to time.

ATJC staff has been in communication with the Administrative Office of the Courts (AOC) to share the project and assure any future opportunity for funding are known. We are assured AOC is aware of this request, though no current update is in place.

This concept was also shared with legal aid provider executive directors. One idea surfaced, “the big idea”, was to consider whether it may make sense moving forward technologically to transition Nevada to a unified court system which could include uniform e-filing. Mandatory e-filing was recently undertaken in Texas guided, in part, by updated ABA model rule 1.1 which now includes a new *Duty of Technology Competence*. Though not yet adopted in Nevada, 39 states have adopted the updated model rule.



*Background:* The primary goal of this initiative is to provide better access to justice by making education and user-focused court forms available to Nevadans.

Based upon survey results and Committee input, we have identified the following forms to begin this trial recommendation:

- 1.) Fee waiver (already on NSC website)
- 2.) Eviction tenant answer
- 3.) Eviction landlord complaint
- 4.) Claim of exemption
- 5.) Small claims

Our objective is to make these commonly used court forms available to the public for statewide use.

Conceptually:

- Form changes to be coordinated by a continuing Forms Drafting Committee including a representative of the Las Vegas Civil Law Self Help Center, the Reno Justice Court and Nevada Judges of Limited Jurisdiction. Accompanying education and instruction to be determined.
- Forms to be available on the [State of Nevada Self-Help Center \(nvcourts.gov\)](http://nvcourts.gov) website and/or a statewide portal.
- In the spirit of Nevada Supreme Court rulings, reinforce the expectation that forms available for statewide use are accepted in all justice courts.
- For now, the focus in on all civil forms v. civil and some criminal forms.



# Nevada Supreme Court ACCESS TO JUSTICE COMMISSION

**To: Access to Justice Commission (ATJC)/IOLTA Rate Review Committee**  
**From: Brad Lewis, Access to Justice Director**  
**Date: September 28, 2021**  
**Re: IOLTA Rate Review**

## I. Standard IOLTA Interest Rate Review Process

- **45 days in advance of review date:** E-reminder to banks soliciting written comments within **ten** days for submission to ATJC.
- **30 days in advance of review:** Bank comments compiled and forwarded to designated ATJC staff who shall be responsible to review and forward to the ATJC Commission.
- **10 days in advance:** Relevant economic condition updates such as a sampling of comparable rates on local bank products and IOLTA offerings elsewhere is compiled. Such information shall be considered work product and disseminated only to the Commission.
- **Within 5 days post meeting.** Notice of rate is provided to banks with effective date (which shall be no sooner than 30 days from notice).

## II. Comments

- A. *Bank comments* – none to date, deadline 9/24/21
- B. *Staff comments* – though the SCR 217 minimum IOLTA interest rate remains at .65%, due to higher than normal total amount on deposit (2021 - \$731,930,422 v. 2020 - \$574,063,565), remittances to date are ahead of 2020. See detail in Sections E and F.

## III. Economic Condition Updates

- A. *Interest Rate Benchmarks (as of 9/17/21)*
  1. 30 Day LIBOR: **.08** (last report 4/14/21 – .11)
  2. 90 Day LIBOR: **.12** (last report – .20)
  3. Federal Fund Target Rate: **.25** (last report – .25)
  4. Federal Discount Rate: **.25** (last report – .25)

### B. *Sampling of Comparable Rates on Local Bank Products*

Local financial institution business interest checking products were researched and the results showed the average interest rates between .01% and .20%, average **.0515%**, (last report .01 – 1.19%, average .115%), [www.bestcashcow.com](http://www.bestcashcow.com) 9/17/21. The Nevada Bankers Association has previously reported rates based on research at [www.depositaccounts.com](http://www.depositaccounts.com). 9/17/21 results showed average interest between .01% and .05%, average **.03%**, (last report .01 – .10%, average .04%). Statistics include interest rates for products with minimum balances not to exceed \$2500.



# Nevada Supreme Court ACCESS TO JUSTICE COMMISSION

## C. IOLTA Offerings Elsewhere

A review of the latest available (March 1, 2020) ABA survey of IOLTA Programs was compiled and provided the following:

Five Highest Average Interest Rates: (1) New Hampshire - .944%; (2) Maryland - .85%; (3) Maine - .81%; (4) Vermont - .75%; (5) Oregon - .73%. The March 1, 2020 high average was .7668%.

Three Lowest Average Interest Rates: (1) Wisconsin .00%; (2) Kansas - .001%; (3) Utah - .001%. The March 1, 2020 low average was .00066%.

## D. Interest Rates and the IOLTA Remittance Impact<sup>1</sup>

Average Amount on Deposit	.75	.70	.65	.60	.55
<b>\$794,332,518<sup>2</sup></b> <i>(Highest – May 2021)</i>	\$489,657	\$457,013	\$424,369	\$391,725	\$358,626
<b>\$574,063,565<sup>3</sup></b> <i>(Lowest – July 2020)</i>	\$353,874	\$330,282	\$306,691	\$283,099	\$259,508
<b>\$684,198,042<sup>4</sup></b> <i>(Average of highest and lowest months)</i>	\$421,765	\$393,648	\$365,530	\$337,412	\$309,295

Average Amount on Deposit & Projected Annual Remittance	.75	.70	.65	.60	.55
<b>\$684,198,042<sup>4</sup></b> <i>(Average amount on deposit of highest and lowest months)</i>	<b>\$421,765</b> <i>(Monthly)</i>	<b>\$393,648</b> <i>(Monthly)</i>	<b>\$365,530</b> <i>(Monthly)</i>	<b>\$337,412</b> <i>(Monthly)</i>	<b>\$309,295</b> <i>(Monthly)</i>
	<b>\$5,061,180</b> <i>(Annual)</i>	<b>\$4,723,776</b> <i>(Annual)</i>	<b>\$4,386,360</b> <i>(Annual)</i>	<b>\$4,048,944</b> <i>(Annual)</i>	<b>\$3,711,540</b> <i>(Annual)</i>

## E. Current Remittance Information

- a. Balance as of 8/31/21 is \$3,178,291
- b. Remittances May – July 2021
  - i. \$424,588
  - ii. \$441,562
  - iii. \$459,261
- c. If remittances September – December remain ~ \$400,000, year end total remittance will be approximately \$4,700,00. It is unknown how long the total amount on deposit will remain higher than normal.

## F. Recent Year End Remittances for Subsequent Year Granting

- a. 2020 – \$4,700,000
  - i. This included \$300,000 in Nevada Bar Foundation Reserves drawn down for core legal service providers. See note below.
- b. 2019 - \$4,903,681
- c. 2018 - \$3,535,433
- d. 2017 - \$2,826,994
- e. 2016 - \$2,607,092
- f. 2015 - \$2,401,617

<sup>1</sup>Annual IOLTA remittance is calculated using the following formula: (average amount on deposit) x (interest rate %) x (number 30 days)/365 x 12. Monthly remittance is calculated dropping x 12. <sup>2</sup>Highest amount on deposit over last 12 months, <sup>3</sup>Lowest amount on deposit over last 12 months, <sup>4</sup>Average amount on deposit over the last 12 months.



# Nevada Supreme Court ACCESS TO JUSTICE COMMISSION

Note from the 2/4/21 Nevada Bar Foundation Trustees meeting on reserve replenishment:

*“With the draw down in funds, the NBF reserves will stand at \$500,000. The mandatory minimum is \$600,000 (\$800,000 maximum). The Court’s July 2014 Order provides instruction for setting aside IOLTA dollars at 2 percent annually to meet the minimum standard. It was moved, seconded, and approved that beginning January 2022, that the Foundation set aside 2 percent of IOLTA dollars to reestablish the reserve minimum.”*

<sup>1</sup>Annual IOLTA remittance is calculated using the following formula: (average amount on deposit) x (interest rate %) x (number 30 days)/365 x 12. Monthly remittance is calculated dropping x 12. <sup>2</sup>Highest amount on deposit over last 12 months, <sup>3</sup>Lowest amount on deposit over last 12 months, <sup>4</sup>Average amount on deposit over the last 12 months.



## ACCESS TO JUSTICE COMMISSION

---

IOLTA Rate Review Meeting Recap  
Tuesday, September 28, 2021 – 10:00 a.m.

### **Present**

Chief Justice James Hardesty  
Justice Kristina Pickering  
Connie Akridge  
Barbara Buckley  
Deonne Contine  
Annamarie Johnson  
Maggie Lambrose  
Raine Shortridge  
Doreen Spears Hartwell  
Adam Tully  
Victoria Mendoza

### **Staff Present**

Brad Lewis

This was the regular fall IOLTA rate review for the Access to Justice Commission to set the rate for the period November 1, 2021 through June 1, 2022.

Chief Justice Hardesty welcomed Margaret “Maggie” Lambrose as the new Nevada Bar Foundation Board of Trustees President and thanked outgoing President Connie Akridge. He also welcomed the group and we briefly recapped the Federal Reserve update that Mr. Shortridge shared. Mr. Shortridge stated that for the next two to three Fed meetings, they are likely to keep rates low. He also discussed the continuing landscape related to COVID-19 including financial institution grants, Paycheck Protection Program updates and the potential new effects related to the debt ceiling.

The group discussed and briefly addressed the content of the Rate Review Memo and Chief Justice Hardesty suggested in light of the discussions and Rate Review details it may be best to stay the course.

It was noted that the IOLTA program is fortunate to have two key positives currently in place. One is the continued, unwavering support of Nevada IOLTA-participating financial institutions. Even though the Nevada Supreme Court has had a temporary SCR 217 order in place reducing the required interest rate minimum from .70% to .65%, 17 of 31 banks continue to offer *Leadership Institution* rates of at least .70%. Secondly, total IOLTA principal balance in 2021 has stood near \$730,000,000 v. \$575,000,000 in 2020. This higher balance means 2021 remittances will likely be approximately \$300,000 greater in 2021 than 2020. This should have a positive impact on 2022 Nevada Bar Foundation granting.

It was discussed and determined to wait until later in the year to see if any Nevada Bar Foundation reserve support was needed. \$300,000 from reserves was redirected in 2020 to increase legal aid granting capacity.



Ms. Buckley noted that the Bank of American mortgage foreclosure grant is ending. AB 357 will help to address the funding need moving forward by setting aside part of any Nevada Attorney General settlement funds and direct them to legal aid.

A brief discussion was held on the future of the CLE reserves. The State Bar of Nevada has assumed the responsibilities for CLE in Nevada and the CLE Board and Nevada Bar Foundation are discussing a program where a portion of the existing built up reserves may be used to fund worthwhile projects. More discussions will be held in the future.

Finally, it was again discussed if any recognition of Nevada IOLTA-participating financial institutions would be appropriate. It was agreed that it would be, and Chief Justice Hardesty said he would like to personally call banks. Brad will prepare a list for use. Justice Pickering also wondered if there was an appropriate way to recognize financial institutions on the Court's website. Brad will follow up.

A vote was taken on whether to stay the course with the SCR 217 minimum rate remaining at .65% and the Leadership Institution rate remaining at .70% or greater. It was so moved by Mr. Shortridge, seconded by Ms. Hartwell. All were in favor without abstentions. The motion passed. Brad will communicate with the financial institutions according to the rule.



**ACCESS TO JUSTICE COMMISSION**

---

**MEMO**

**Date: October 12, 2021**

**To: Barbara Buckley, Deonne Contine, Diane Fearon, Annamarie Johnson, Victoria Mendoza**

**From: Brad Lewis**

**RE: 2021 Dues Check Off Update**

As mentioned on our triannual call, dues check-off checks are forthcoming.

As some of you know, when I arrived in late 2017, dues check off proceeds had been declining for more than a decade. Beginning in 2018 for the 2019 license fee cycle we made a renewed push under a new marketing strategy to attempt to reverse that trend. While I'm pleased to report progress, we have not yet returned to our 2010 peak of \$155,236, however, that is my long-term goal.

Progress to date:

- 2019 - \$70,483
- 2020 - \$99,652
- 2021 - \$116,425

I'm updating the 2022 messaging in the next day or two to add:

- COVID upended pro bono participation
- IOLTA funds dropped requiring the Nevada Bar Foundation to help fund legal aid from reserves
- COVID simultaneously caused an increased need for legal services

Part of our new strategy is to keep our messaging very short but if you have a great messaging idea that you think would help lawyers to increase or start donations, please let me know ASAP.



## Access to Justice Highlights 3<sup>rd</sup> Quarter 2021

---

### HIGHLIGHTS

---

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

---

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

*ARPA Roundtable – August 30, 2021*

We had a roundtable meeting with Governor Sisolak’s Chief of Staff Yvanna Cancela, Nevada State Treasurer Zach Conine, Clark County Commissioner Justin Jones, and City Councilman Brian Knudsen and their staff. We discussed the access to justice gap, the services we’ve offered throughout the pandemic, and the legal needs we foresee for the future.

We submitted an application in September 2021 to the state to be awarded the designation for the Statewide Victims Assistance Center.

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

On August 9, 2021, we invited elected officials and staff to a virtual meeting so we could update everyone with the status of evictions – what we are seeing and doing on the ground. We had 16 participants.

Began planning for the 4<sup>th</sup> year since the October 1 shooting. Needs include outreach, extended hours for the Vegas Strong Resiliency Center, virtual mental and behavioral health events, 4<sup>th</sup> annual quilt raffle, and media coverage. Begin recurring meetings with the VSRC Economic Development Working Group (County, City, R&R, VSRC, Legal Aid Center, MGM, NReal Media).

For the Community Legal Education Class Program Fall calendar, we resumed in-person classes for the Spanish immigration and Spanish family law classes. We are following strict COVID-19 protocols and capped attendance at 8. We are also doing this for the Bankruptcy class and making the class available online at the same time (hybrid). So far, attendance has doubled for the Bankruptcy classes.

We are doing more in-person community outreach events while maintaining COVID-19 social protocols to our best ability.

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

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

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

**Community Outreach Events – 19 total for this quarter:**

7/7/21: Melissa participated in the Latino Youth Leadership Conference held at Nevada State College.

7/16/21: Eviction Pop-Up clinic at El Salvadoran consulate

7/17/21: Eviction Pop-Up clinic at Immigrant Home Foundation – 15 attendees

7/24/21: Eviction Pop-Up Clinic – hosted by the City of Las Vegas at the Meadows Mall. Jim attended – only 3 attendees.

7/26/21: Eviction Pop-Up Clinic – hosted by the LVCCLD & Commissioners Jones and Naft. 12 attendees. Taylor lead attorney.

7/30/21: ID.me Outreach at the Culinary Union – 6 attendees

7/31/21: Eviction Pop-Up Clinic – hosted by the City of Las Vegas at Doolittle Comm. Center – 13 attendees. Lauren was lead attorney.

8/2/21: ID.me Outreach at the Culinary Union – 17 attendees

8/6/21: ID.me Outreach at the Culinary Union – 24 attendees

8/7/21: Back to School Outreach – East Las Vegas Community Center -

8/9/21: Briefing with electeds/staff on the status of evictions – 16 participants

8/12/21: Presentation at Lieburn Senior Center by Heather – 14 attendees

8/13/21: ID.me Outreach at the Culinary Union – 26 attendees

8/14/21: Eviction Pop-Up Clinic hosted by City of North Las Vegas at Neighborhood Recreation Center. 28 attendees.

8/18/21: ID.me Outreach at the Culinary Union – 25 attendees

8/21/21: Back to School Fair – Hosted by the City at Rancho H.S. – Anthony – 20 attendees

8/24/21: Outreach – PopUp Housing Connect hosted by Nevada Homeless Alliance – Chris

- 8/24/21: Multiple workshops for the Culinary Academy/LSF by Enrique over 3 days this week – 160 attendees
- 8/28/21: Eviction Pop-Up Clinic hosted by Assemblywoman Miller, Assemblyman Yeager and Commissioner Jones at Desert Breeze Community Center – 100 attendees

### **Legal Aid Center in the News:**

7/13/21: [https://www.fox5vegas.com/news/clark-county-hosts-first-public-meeting-on-how-to-spend-440m-in-covid-19-recovery/article\\_075394c6-e306-11eb-8a5b-7be607f65083.html](https://www.fox5vegas.com/news/clark-county-hosts-first-public-meeting-on-how-to-spend-440m-in-covid-19-recovery/article_075394c6-e306-11eb-8a5b-7be607f65083.html)

7/15/21: <https://thenevadaindependent.com/article/extreme-heat-is-here-but-not-everyone-has-access-to-an-essential-service-a-c>

7/19/21: <https://www.ktnv.com/news/tenants-throughout-las-vegas-valley-report-rising-rent-costs>

7/19/21: <https://vegasinc.lasvegassun.com/business/notes/2021/jul/19/people-on-the-move-july-19-2021/>

7/22/21: Bailey comments here <https://www.nevadacurrent.com/2021/07/22/house-launches-probe-of-moratorium-defying-evictions-at-weekly-apartments/>

7/26/21: LVRJ article about our Windmill Library pop-up clinic.

7/26/21: <https://www.ktnv.com/news/homeowner-rights-when-facing-foreclosure>

7/26/21: LVRJ article with Aaron and Bailey about the end of the moratorium on 8/1/21.

7/29/21: <https://www.cbsnews.com/news/eviction-moratorium-ending-saturday/>

7/29/21: Barbara/CNN interview - <https://vimeo.com/580967504/b439ac8848>

7/30/21: AP article called Nevada officials: Renters have path to avoid quick evictions

7/30/21: [https://www.fox5vegas.com/coronavirus/legal-aid-center-of-southern-nevada-to-hold-eviction-prevention-clinic/article\\_09a3fd4c-f152-11eb-ab3d-3f9d71750b8f.html](https://www.fox5vegas.com/coronavirus/legal-aid-center-of-southern-nevada-to-hold-eviction-prevention-clinic/article_09a3fd4c-f152-11eb-ab3d-3f9d71750b8f.html)

7/30/21: <https://lasvegassun.com/news/2021/jul/30/nevada-officials-renters-have-path-to-avoid-quick-/>

8/1/21: PSA – Stay Housed Clark County

8/1/2021 <https://www.ktnv.com/news/end-of-eviction-moratorium-could-mean-more-living-in-vehicles-on-southern-nevada-streets>

8/2/21: <https://www.8newsnow.com/news/local-news/legal-aid-center-of-southern-nevada-hosting-free-eviction-clinics-in-august/>

8/2/2021 <https://www.8newsnow.com/i-team/i-team-evictions-expected-to-increase-as-cdc-moratorium-expires/>

8/2/2021 <https://news3lv.com/amp/news/local/as-moratorium-expires-experts-expect-many-eviction-notice-to-come-in-las-vegas-area>

8/3/2021 <http://greenvalley.8newsnow.com/news/3180852-i-team-tensions-between-las-vegas-valley-landlords-tenants-rise>

8/3/2021 [https://ca.bfn.today/eviction-st\\_176195/news/end-of-moratorium-leaves-many-in-las-vegas-facing-eviction-sn\\_2411238/](https://ca.bfn.today/eviction-st_176195/news/end-of-moratorium-leaves-many-in-las-vegas-facing-eviction-sn_2411238/)

8/3/2021 13 Action News @ 11:00pm KTNV-TV Television station

8/3/2021 El fin de la moratoria deja a muchos en Las Vegas frente al desahucio  
El Tiempo Libre Online, consumer

8/3/2021 13 Action News @ 6:30pm KTNV-TV Television station

8/3/2021 8 News Now at 4 & 6:30 PM KLAS-TV Television station

8/3/2021 FOX5 News at 6:00pm KVVU-TV Television station

8/3/2021 Evictions expected to increase as CDC moratorium expires  
Green Valley 8 News Now Online

8/3/2021 Legal Aid Center of Southern Nevada hosting free eviction clinics in August  
Green Valley 8 News Now Online, news and business

8/3/2021 Good Day Las Vegas KLAS-TV Television station

8/3/2021 Legal Aid Center of Southern Nevada hosting free eviction clinics in August  
8NewsNow staff KLAS-TV Online

8/3/2021 Good Day Las Vegas KLAS-TV Television station

8/3/2021 El fin de la moratoria deja a muchos en Las Vegas frente al desahucio  
Subrina Hudson Las Vegas ReviewJournal El TiempoTiempo Libre

8/3/21: Chris on ESPN Deportes radio program with Ombudsman Hickerson

8/4/2021: I-Team: What the CDC's newest eviction moratorium means for Southern Nevada  
Vanessa Murphy KLAS-TV Online

8/4/2021: 'You need to apply for CHAP': Experts say same actions apply with CDC moratorium extension  
KSNV-TV Online Online, consumer

8/4/2021: 8 News Now at 4, 5, and 6 PM KLAS-TV Television station

8/4/2021: Renters, Landlords Advised to Follow Steps for Financial Assistance  
Mesquite Local News - Online Online, consumer

8/4/2021: News 3 Live at Three KSNV-TV Television station

8/4/21: LVRJ – Does the federal eviction ban apply to Nevada?

8/4/2021 Tensions between Las Vegas valley landlords, tenants rise  
Green Valley 8 News Now Online, news and business

8/5/21: <https://knpr.org/knpr/2021-08/evictions-loom-covid-surges>

8/5/2021: LVRJ - Hundreds of homes threatened with foreclosure for overdue trash bills

8/5/2021: What the CDC's newest eviction moratorium means for Southern Nevada  
Green Valley 8 News Now Online

8/5/2021: Radio clip from News KNPR (Radio)

8/5/2021: Good Day Las Vegas KLAS-TV Television station

8/7/21: LVRJ – How New Eviction Ban Works in Nevada Remains Unclear

8/9/21: <https://thenevadaindependent.com/podcast/desalojo-de-vivienda-como-me-ayuda-la-nueva-extension-en-moratoria-federal>

8/11/21: The New York Times – Evicted, Despite a Federal Moratorium: ‘I Do Not Know What I am Going to Do’

8/11/21: <https://www.telemundolasvegas.com/noticias/local/anciano-habria-matado-a-sus-inquilinas-por-no-pagar-la-renta/2156912/>

8/12/21: Barbara & Jim on the *Hello Mayor* show -  
<https://www.youtube.com/watch?v=RRrhxKuBBH8>

8/12/21: [https://www.fox5vegas.com/news/legal-aid-hosting-eviction-prevention-clinic-in-north-las-vegas-this-weekend/article\\_f0805068-fbb0-11eb-b6c4-973cb52a9043.html](https://www.fox5vegas.com/news/legal-aid-hosting-eviction-prevention-clinic-in-north-las-vegas-this-weekend/article_f0805068-fbb0-11eb-b6c4-973cb52a9043.html)

8/17/21: <https://lasvegassun.com/news/2021/aug/17/nonprofits-are-stepping-up-to-meet-the-moment/>

8/20/21: Tenant Tips Blurb in the Las Vegas-Clark County Library District Highlights

8/23/21: <https://www.ktnv.com/money/consumer/13-action-news-helps-resolve-doorbell-dispute>

8/28/21: <https://lasvegassun.com/news/2020/aug/28/nevada-braces-pandemic-prompted-eviction-moratoriu/>

8/31/21: <https://www.telemundolasvegas.com/fotosyvideos/nevada-aun-ofrece-proteccion-contradesalojos-a-pesar-del-bloqueo-de-la-moratoria-federal/2160715/>

9/6/21: <https://thenevadaindependent.com/article/as-unemployment-benefits-stop-for-close-to-150000-nevadans-observers-fear-tough-road-ahead>

9/14/21: <https://www.ktnv.com/13-investigates/several-las-vegas-homeowners-dealing-with-fall-out-from-home-repair-company>

9/19/21: <https://thenevadaindependent.com/article/amid-shifting-patchwork-of-laws-and-moratoriums-evictions-play-out-on-a-courtroom-stage>

9/20/21: <https://vegasinc.lasvegassun.com/business/notes/2021/sep/20/the-notes-philanthropy-sept-20-2021/>

9/24/21: <https://www.nevadacurrent.com/2021/09/24/officials-miffed-after-realtors-tell-landlords-they-can-raise-the-rent-as-much-as-they-like/>

9/30/21: Issued press release regarding Pop-Up eviction clinic on October 2, 2021

9/30/21: [https://www.fox5vegas.com/coronavirus/legal-aid-center-of-southern-nevada-to-hold-free-eviction-clinic-saturday/article\\_4c2d1b96-220b-11ec-999a-6b839134f974.html](https://www.fox5vegas.com/coronavirus/legal-aid-center-of-southern-nevada-to-hold-free-eviction-clinic-saturday/article_4c2d1b96-220b-11ec-999a-6b839134f974.html)

9/30/21: Blurb in Las Vegas Review Journal re: October 2<sup>nd</sup> eviction pop-up clinic

9/30/21: LVRJ – Eviction Clinic in North Las Vegas to offer legal advice to renters

### **Social Media:**

We added a Twitter page for the Vegas Strong Resiliency Center this quarter so we now have 9 social media channels (5 for Legal Aid Center & 4 for Vegas Strong Resiliency Center). Each platform continues to see an increase in followers:

#### *Legal Aid Center*

Facebook:	Last quarter: 4,451	This quarter: 4,576	Increase: 125 = 2.8%
Twitter:	Last quarter: 1,562	This quarter: 1,635	Increase: 73 = 4.7%
LinkedIn:	Last quarter: 985	This quarter: 1,084	Increase: 99 = 10%
YouTube:	Last quarter: 472	This quarter: 523	Increase: 51 = 10.8%
Instagram:	Last quarter: 716	This quarter: 830	Increase: 114 = 15.9%

#### *Vegas Strong Resiliency Center*

Facebook:	Last quarter: 2,865	This quarter: 2,951	Increase: 86 = 3%
Instagram:	Last quarter: 909	This quarter: 1,104	Increase: 195 = 21.4%
YouTube:	Last quarter: 20	This quarter: 30	Increase: 10 = 50%
Twitter:	Last quarter: 0	This quarter: 57	Increase:

## **Videos/YouTube**

We added 7 videos to Legal Aid Center's YouTube channel this past quarter:

*Coffee with CAP*

<https://www.youtube.com/watch?v=-7XkBt8gFmc>

*Special Education Rights Class*

<https://www.youtube.com/watch?v=R6PeAn4TRgs>

*July 2021 CAP Volunteer of the Month – Jennifer Hostetler*

<https://www.youtube.com/watch?v=OYTq500vLIY>

*Special Education & Foster Care Student's Rights in Nevada*

<https://www.youtube.com/watch?v=8IpUbuXgl2I&t=130s>

*Tips for Tenants Facing Eviction*

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

*Consejos para evitar desalojo*

<https://www.youtube.com/watch?v=U78K5nk1n3M>

*Lounge & Unwind with CAP*

[https://www.youtube.com/watch?v=PhUR\\_l6UyNM](https://www.youtube.com/watch?v=PhUR_l6UyNM)

## **Consumer Case Highlights**

---

### **Julio**

Legal Aid Center of Southern Nevada represented Julio, a Spanish-speaking consumer, who was sued by a finance company on a vehicle he traded in to a dealership to purchase another vehicle on credit.

Years ago, Julio purchased a truck on credit. He then needed a larger vehicle for him and his family. He went to Reliable Imports to see if they had anything available for him. He browsed the lot and selected an SUV. He made a down payment of \$1,500 and traded in his truck. Because he still owed the finance company for the purchase of the truck, the remaining balance of the loan was supposed to be rolled into the purchase of the SUV.

The SUV he purchased experienced problems right away, so he returned the vehicle. Reliable Imports refused to return to him his truck or his down payment. Eventually, the finance company

sued Julio to recover the balance owed on the truck because he had stopped making payments when he traded it in to the dealership.

We successfully defended the lawsuit, and the finance company agreed to forgive any debt associated with the truck. We then sued the dealership to recover the value of the truck and his trade-in. We settled and Julio was able to get damages for everything that he lost.

This case illustrates the importance of attorney assistance for Spanish speakers in cases involving complex auto transactions.

### **Selena**

Selena, a single mother who raised three children, one of whom has a severe mental health condition, has rented a house in North Las Vegas for eight years. She lost her job as a hotel guest room attendant due to the pandemic and fell behind on the rent. She also suffers from health problems and was recovering from major surgery when she got a lease violation eviction notice for broken and damaged items in the house. She filed a response to the notice with the court. Afraid of losing her home, she contacted us for help.

We agreed to represent Selena at her eviction hearing. At court, we argued that Selena's case should be stayed under Assembly Bill 486 because she has a pending rental assistance application. The judge continued the hearing, however, because she required further proof that the application was pending.

Prior to the continued hearing, we worked diligently with the landlord to reach a favorable settlement that enabled Selena to avoid eviction as well as to avoid financial responsibility for repairs in the home. We also connected Selena with resources to help her find a new residence, including a realtor in North Las Vegas (through Councilman Isaac Barron) and a housing counselor at HELP of Southern Nevada. Further, we worked with Selena's caseworker at the rental assistance agency to ensure that the landlord was paid the arrears, and to connect Selena with relocation assistance.

Selena reports that she is recovering from surgery, has a job interview lined up, and is eagerly anticipating her son's arrival home from a mental health facility. She is grateful for all the support during this tumultuous time in her life. This case illustrates how attorneys can help tenants reach peaceful resolutions with their landlords in eviction cases and obtain vital resources such as housing and rental assistance.

### **Guardianship Advocacy Program Case Highlights**

---

Joe Smith is a sharp 81 year old gentleman. When the Legal Aid Center Attorney first spoke to Joe, he was a resident at a group home. He was placed there following a hospital stay after suffering a fall. The hospital did not have contact information for any family members and discharged Joe to a woman he did not know but who had an affiliation with the group home. That same woman filed a petition to be appointed as Joe's guardian of his person and estate due

to a dementia diagnosis. The guardianship petition stated there was no knowledge of any family members. The woman also somehow became Joe's representative payee for his social security benefits.

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

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

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

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

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

## Family Justice Project Case Highlights

---

Represented client who is a mother of two young boys. The parties were never married but lived together for a period of five years. Following a terrible car accident, client was injured and unable to work for several years. As a result she became a stay at home mom who was the primary care giver for her two boys. Sometime after the accident, the boy's father began to accuse client of abusing her pain medication an allegation that she denied and later proven to be false. These allegations continued and resulted in the parties separating. A custody case was later initiated by the boy's father in which he attempted to use those allegations to obtain custody of the boy. We submitted our client to various drug tests during this case and each of the tests helped to prove that client was not abusing her medications. As a result, we were able to successfully obtain joint custody for the client and provided referrals and assistance to help her begin a new chapter with her boys.

## Immigration Case Highlights

---

I would like to praise and highlight my client Ahd. She spoke no English when we began on her U-Visa case. She had also never worked before, as it is not practiced in her culture. After suffering from domestic violence from her spouse she found her way to our office for immigration and family needs. While her U-Visa has been processing, Ahd began English class at CSN. Taking the classes involves an almost 2-hour bus ride for her from the shelter to drop her son at daycare and then continue to CSN. She was committed to learning the language so when she receives her EAD card she can work and provide for herself and young son. She was determined to teach her son the value of women and mothers so he will have a positive and modern outlook on the female gender. When the opportunity arose for Ahd and her son to also apply for Syrian based TPS benefits, Ahd agreed to the petition. A search was conducted by executive assistant staff to locate an in-person Arab speaking translator but due to COVID, there were not any available. I relayed the news to Ahd via email and she called me and said “Ms. Bonnie, I think my English is good enough now that I do not need a translator.” She was correct and we reviewed and processed her application without the need for a translator. Ahd became fluent in English in just six months.

Regardless of the hardship this client suffered, she still rose above and is paving the way for her new and better life in America.

## Children’s Attorneys Project Case Highlights

---

Sibling group removed from Natural Mother (NM). The siblings are dual Mexican and American citizens. NM is an American citizen. Natural Father (NF) is a Mexican citizen. NM and NF are married. NM brought the kids to America and NF has been working through the immigration process. The children want to remain in America and be reunified with NF. Originally, the Court substantiated an abandonment provision against NF. After CAP did some “investigation” and talked with the DDA, the DDA agreed to have the Court set aside the substantiation against NF. Now, he is non-offending. So, now the barrier to reunification is the immigration process. CAP communicated with Legal Aid Center’s immigration team to get some ideas on how to bring NF to America expeditiously. During a hearing, the Judge contacted necessary personnel to get NM an appointment for today so that she can hopefully get the immigration process expedited so NF can come to America and the children can reunify with NF in America, which is what the children want. This was a team effort initiated through CAP in partnership with Legal Aid Center’s immigration team, DFS, DDA, and the judge.

## Education Advocacy Program Case Highlights

---

Sally is a six year old foster kiddo with autism who was inappropriately placed at NeuroRestorative4Kids in March 2021. Ilka from our Education Advocacy Department immediately assigned an experienced volunteer education advocate to act as Sally’s education

decision maker. A special education assessment was requested and the school district completed their assessment in September. In addition we advocated for a full neuro-psych which enabled Sally to have a proper autism diagnosis which qualified her for ABA therapy. With these additional supports in place the department was able to find Sally a foster home and she was placed last week. A lack of IEP and ABA services often can create a barrier to placement, and without advocacy for those supports kids can languish in places like NeuroRestorative4Kids of Child Haven.

This is update on story 10-19-21:

So today was supposed to be Lexi's first official day back in school after her expulsion was overturned. Yesterday Anthony asked me, "Can I go to the school in the morning to make sure the registration goes smoothly? I shouldn't have to go but my Spidey-senses are tingling?" I said, "Sure, no problem."

Anthony went in person and met with Stella, Lexi's grandmother. The registrar gave Stella a form to sign that stated she would waive her semester grades for missing more than 10 days. Anthony explained that she only missed the 10 days due to scheduling conflicts with the AP while the Principal was out. Registrar stated that the law is, if 10 days are missed then the semester grades are waived. Anthony told Stella not to sign, and asked to speak with the Principal. The registrar said, "You can request an appointment and come back later." Anthony responded, "We aren't leaving until this is straightened out." Anthony then emailed CCSD's regional director and the school's Principal explaining the problem and asking for them to straighten this out. While heading to the lobby to wait Anthony saw the Principal passing by and ran after him. He quickly explained the situation and asked him to straighten this out. He asked for a few minutes. After speaking with the registrar the Principal came back and said it was all straightened out." After this was all settled, Stella told Anthony that she was glad he was there because she would just have signed the waiver.

Prior to the expulsion Lexi was passing 5 of her 6 classes (four classes with an A!). Without Anthony showing up in person Lexi would have fallen behind a whole semester...for no reason.

---

## PRO BONO PROJECT

---

### **Third (PB Q4) Quarter 2021 Pro Bono Project Highlights:**

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

During Q3 of 2021 we placed 116 cases with 104 unique attorney volunteers:

- July - 24
- August - 40
- September – 52

II. **Pro Bono CLE Seminars:**

July 8 – Eviction Prevention

July 16 – CAP Supplemental Building rapport with clients

July 23 – CAP Intro

August 12 – Legislative Update

August 18 - Power Act CLE

August 20 – 504 Plans Education Decision Makers

August 27- CAP Intro

September 13 – Nevada Dependency 101

September 25 – Cap Intro

September 29 – Basics of Family Law

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

- July – Sagar Raich, non-CAP
- August —Diane Lowe, CAP
- September—Darren Welsh, non-CAP

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

- July 21, Civil Judges Meeting
- July 21, Community outreach NVLBA
- August 3, PB Advisory Council Meeting
- August 4, Firm Visit LBBS
- August 5, CCBA Summer Mixer
- August 6, CCBA Community Service Meeting
- August 10, Meet with Federal court to discuss 1983 cases
- August 12, Firm Visit Holley Driggs
- August 13, Avello Firm Visit
- August 20, Trial by Peers meeting
- September 3, CCBA Community Service Meeting
- September 7, Hutchinson & Steffen Firm Visit
- September 15, meet with community partners
- September 16, New Lawyers Meeting
- September 16, Feed the funnel

- September 23, PIPB orientation
- September 30, Probate/Trust meeting
- September 30, Volunteer Interpreter Workshop

## STATS

<b>Consumer Rights Project - Cases Quarterly Stats</b>				
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>
Number of cases opened for Attorney in quarter	236	154	198	
Number of cases closed for Attorney in quarter	233	190	158	
Number of cases opened with brief service or more	6,101	5,961	6,088	
Total Active cases through end of quarter	579	257	544	
Unemployment Culinary Assistance Program	1,500	786	410	
<b>Social Security Project Cases - Quarterly Stats</b>				
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>
Number of cases opened for Attorney in quarter	34	45	37	
Number of cases closed for Attorney in quarter	30	71	36	
Number of cases opened with brief service or more	22	13	3	
Total Active cases through end of quarter	129	102	99	
Social Security Hotline Calls	353	327	404	
<b>Guardianship Advocacy Project – Quarterly Stats</b>				
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>
Number of cases opened for attorney in quarter	173	234	244	
Number of cases closed for attorney in quarter	143	116	165	
Number of cases opened with brief service or more	27	2	3	
Total Active cases through end of quarter	1,961	1,853	2,248	
<b>Minor Guardianship Advocacy Project – Quarterly Stats</b>				
	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>
Number of cases opened for attorney in quarter	137	160	192	
Number of cases closed for attorney in quarter	71	102	130	
Number of cases opened with brief service or more	11	0	0	
Total Active cases through end of quarter	290	348	408	

Family Justice Project Cases - Quarterly Stats				
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr
Number of cases opened for attorney in quarter	90	86	105	
Number of cases closed for attorney in quarter	92	109	127	
Number of cases opened with brief service or more	2,117	1,689	1,271	
Total Active cases through end of quarter	302	209	303	
Immigration - Quarterly Stats				
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr
Number of cases opened for attorney in quarter	177	117	113	
Number of cases closed for attorney in quarter	76	108	94	
Number of cases opened with brief service or more	571	469	578	
Total Active cases through end of quarter	899	895	838	

Children's Attorneys Project Cases Quarterly Stats				
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr
Number of cases opened in quarter	228	232	241	
Number of cases closed in quarter	243	225	289	
Total Active cases through end of quarter	1,706	1,728	1,708	
Education Advocacy Program Cases Quarterly Stats				
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr
Number of cases opened in quarter	26	16	43	
Number of cases closed in quarter	15	19	25	
Total Active cases through end of quarter	122	119	137	
Volunteer Education Advocate Program Cases Quarterly Stats				
	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr
Number of cases opened in quarter	12	17	16	
Number of cases closed in quarter	23	10	31	
Total Active cases through end of quarter	147	154	138	

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

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

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

<b>Community Legal Education Program Attendance Statistics</b>					
<b>CLASS</b>	<b>JAN. - MAR.</b>	<b>APR. - JUNE</b>	<b>JULY - SEPT.</b>	<b>OCT. - DEC.</b>	<b>TOTAL FOR YEAR</b>
Divorce	71	59	43		
Paternity/Custody	28	59	51		
Guardianship	40	29	28		
Spanish Family Law	4	30	32		
Bankruptcy	24	14	37		
Spanish Bankruptcy	0	0	1		
Small Claims	30	27	31		
Collection Proof	21	35	23		
Family Law Litigation & Trial Prep	54	36	43		
Immigration English	20	6	11		
Immigration Spanish	4	7	7		
<b>TOTALS</b>	<b>296</b>	<b>302</b>	<b>307</b>		

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

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



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

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

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

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

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

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

October 29, 2021

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

Re: Report from Nevada Legal Services

Dear Members of the Commission:

National Pro Bono Week ends today and Nevada Legal Services' staff has been very busy with our schedule of events. We conducted 15 Law Fairs throughout the State and five CLEs for attorneys who wish to volunteer. We did conduct our events in person this year and attendance has been very good.

During the month of October, NLS has been conducting an intake census. Every odd-numbered year, the Legal Services Corporation asks its grantees to conduct the intake census. This census counts the number of individuals who reach out to us for assistance, but we are unable to provide them with help. The census included categories for reporting of those fully served; those partially served; those referred to another agency; those we could not serve at all. LSC uses the information gathered from across the country to create its Justice Gap Report. The Report is then used to help make the case that funding for legal services should be increased. As this report is written, the census is just winding up, so I can't report what our numbers are. The anecdotal report is that we had more people we had to turn away than the last time the census was taken. That isn't really a surprise since the pandemic is continuing to create problems for our client communities.

The Legal Services Corporation released its *By the Numbers Report* two weeks ago. This report is part of the LSC Annual Report and gives the statistics on how the LSC grantees have helped the low-income residents of the US. You can see the report here: <https://lsc-live.app.box.com/s/amlce75n3jdgjw6omzjewm61eghavzt/file/872174451862>.

The two tables that I would draw your attention to are on pages 42 and 40. The first table, on page 42, indicates that Nevada Legal Services was one of only 11 programs that increased the number of clients served during 2020, and we had the fourth highest increase among the 137 LSC organizations. The remaining 126 programs saw the numbers of clients they served decrease somewhat dramatically. This was during the height of the pandemic and the table shows two things: 1. That the programs that increased the amount of their services remained open during the entire time and continued to provide help to clients. 2. The programs that decreased their services had to close down during the pandemic. There were many reasons for this, including protecting their staff from the pandemic. But another reason is that many of the states had very strong moratoriums and protections for tenants and there were no housing cases taking place. Programs reported that Housing Law Units had no requests for help coming in and staff were put on administrative leave. Other states also did not have the same problems with their unemployment benefits programs that Nevada had and continues to have. We are very proud of our ability to continue to help the community while not putting our staff in danger at the same time.

The second table, on page 49, shows that the number of Pro Bono cases that NLS closed in 2020 made up 14% of the case totals that we reported to the Legal Services Corporation. We had the 9<sup>th</sup> highest percentage in the country. NLS wants to thank all of the wonderful pro bono attorney volunteers who helped so many of our clients last year.

Our HIV/AIDS Project continues to grow. We recently added Kwame Bell to our staff in Reno. He will join our staff in Las Vegas in providing assistance to individuals diagnosed with HIV/AIDS. Thanks to Kwame, we have increased our medical-legal partnerships to three. We now have a partnership with Access Healthcare Network, in addition to our partnerships with the Huntridge Clinic and Immunize Nevada.

Our Senior Law Project continues to grow. Thanks to a new grant from the Nevada Aging and Disabilities Services Division, we were able to add a new attorney and support staff person. The new staff will be providing assistance to Seniors in Elko, White Pine, Lincoln and Humboldt Counties.

Our Farmworker Unit has been very busy this summer and fall. The number of farmworkers in the State of Nevada increases year to year and agencies and churches across the state have been tremendous partners in referring farmworkers to us when they become aware of issues. The agencies and churches even make their space available to us to meet with the farmworkers (a recent Supreme Court ruling has made it more difficult to meet with farmworkers in their employer-provided housing). Farmworkers and shepherders continue to be the most out of sight, underserved population in Nevada.

Housing cases and evictions continue to be the largest share of our caseload. We project that at the end of 2021, NLS will have seen an historic number of housing cases. Unemployment benefits cases are coming in a close second. All of the issues with DETR have not gone away. They have just lost news coverage. We still have clients who applied for unemployment benefits a year ago who have had no response on their application from DETR.

Thank you for the opportunity to update you on the work of Nevada Legal Services.

Sincerely,



Annamarie Johnson  
Executive Director



Date: October 20, 2021

To: Members of the Access to Justice Commission

From: Southern Nevada Senior Law Program

Re: Access to Justice – Updates

- Senior Law Program officially launched our Senior Advocates Pro Bono Program in October 2021. The kick-off event was a Senior Sign a Thon sponsored by SNSLP board member Candace Carlyon of Carlyon Cica Chtd. With support from the State Bar of Nevada and Clark County Bar Association, a call to action was circulated to attorneys to volunteer on October 22 to finalize simple estate planning documents for 22 seniors within a 3-hour time frame. Over 20 attorneys responded enthusiastically which enabled SNSLP to have a successful event and provide an excellent cohort of future pro bono resources. We are already planning the next Senior Sign a Thon on December 9, 2021, in order to give all the attorneys who volunteered an opportunity to help seniors and earn CLE's this year. Special thanks to Washoe Legal Services, Nevada Legal Services, and VARN for their tremendous assistance in creating the policies and procedures for the Senior Advocates Pro Bono Program.
- In September 2021, SNSLP engaged an Independent Contract private attorney to assist with the high volume of eviction cases. We applied for an ADSD COVID 19 Grant in July 2021, which was approved in August, to fund this work.
- Eviction matters update: As the COVID related eviction moratoriums were expiring earlier this year SNSLP made a concentrated effort to assist as many seniors as possible facing eviction. Initially, due to the large number of cases, our office conducted telephonic meetings, advised clients how to prepare responses to various eviction notices, and assisted clients with filing responses to the eviction notices. Over time we increased the number of in-person consults to provide an efficient and thorough response to the eviction notices. Through the creation of a more effective in-person appointment, clients were provided completed documents for filing, instead of spending hours at the various courthouses and multiple agencies. For those seniors in an emergent situation, and those that cannot easily travel, facing an eviction we continue to make ourselves available for last minute telephone consults. Recently, one issue that our office has encountered is that landlords are utilizing the strategy of initiating an eviction premised on other issues, such as "No-Cause" or nuisance, to avoid the restrictions of evictions for nonpayment. Due to this strategy, our office assists clients with the CHAPs application process

to facilitate a legal avenue for clients to forestall being evicted. In addition, our office has advised clients to file a supplemental response to the Landlord's Complaint to show the Court that the actions of the Landlord are merely a means to circumvent the new eviction legislation. Lastly, our office has created a quick reference guide of resources that is provided to our vulnerable senior clients to help them find affordable housing and social services.

- Staffing updates – hired an experienced eviction/landlord-tenant staff attorney in July 2021 and hired a bilingual Lead Intake Specialist in October 2021. Both hires are replacements to existing positions.
- Community Outreach Initiatives July – October summary: SLP is collaborating with Three Square's Golden Groceries, East Valley Family Services, Southern Nevada Regional Housing Authority, Nevada Homeless Alliance, Nevada 211, and other nonprofits to create awareness of our services. Executive Director, Diane Fearon, scheduled to present to Nevada's Tribal Communities Council on January 12, 2022.
- SNSLP has enrolled with the FTC as a "Community Advocate Center", which enables us to report frauds, deceptive trade practices, and illegal businesses within our community. Senior Staff Attorney Chelsea Crowton is overseeing this initiative.
- Success Stories:
  - At SNSLP we feel that in the best of times when helping our clients we are also helping their loved ones. This is even more true in the most difficult of times. Mr. M was referred to SNSLP by ADSD on June 22, 2021, for assistance in an eviction matter. Mr. M had been communicating with our office for a couple of weeks when he first spoke with Elder Law Attorney Nik Nikci on July 8, 2021. After two such conversations and then discussing his situation with the rest of the staff that had initially assisted with his case, it appeared his health was declining. Nik discussed this with Mr. M's daughter as we were working on his underlying legal issues. She confirmed that his health did appear to be in decline, and she was working on resolving his legal issues with the hope that this might help to a degree to alleviate Mr. M's anxiety and health issues. Mr. M's daughter emailed Nik on July 19 to update SNSLP that Mr. M had a heart attack, that he had flatlined for 9 minutes and that he was now on life support. Mr. M continued to fight until July 24, 2021, when he had a cardiac arrest and passed away with his daughter by his side that morning. Prior to our involvement his daughter Anjelica was the only person assisting Mr. M with his legal and health issues. Mr. M had told Nik that she is a student and working to pay for her education. Mr. M seemed to feel he was asking too much of Anjelica and appeared to truly appreciate her assistance considering all of Anjelica's other obligations. In those last few weeks Anjelica told SNSLP how much our assistance had given her comfort because dealing with his landlord was difficult, in particular when coupled with Mr. M's health issues. We continued to assist Anjelica and coordinate with the landlord's counsel until she was able to remove all her father's belongings from his apartment. Anjelica met all the agreed to deadlines early and was always responsive to any requests forwarded to her. As the court proceedings concluded and the matter came to a close Anjelica thanked Nik and SNSLP for our assistance and for giving her some peace of mind that her father's outstanding legal issues were being resolved while she worked on her end to remove all of her dad's belongings, deep clean his apartment, and complete a walkthrough of the apartment –

none of which was necessary, but she did these things to honor her father's memory. This case did not end the way we would have hoped, but our involvement worked to the benefit of our client's peace of mind, and as a great comfort to his daughter when she was going through the sadness of losing her father. This case reminds us that assisting one person when they are in need can have an impact felt beyond the singular individual that is our formal client.

- Mr. J became a quadriplegic following an accident, and now lives with his mother, who serves as his full-time caregiver. He is completely paralyzed from the neck down and confined to a bed. He accesses information through a voice-activated app on his iPad. He needed to create new Powers of Attorney to reflect his changed situation and also to give his mother the ability to manage his affairs, both medically and financially. An initial consultation with SNSLP Managing Attorney, Carol Kingman, was conducted over the phone to discuss his wishes and needs and craft a strategy for legally accomplishing his goals since he is unable to sign his name to documents. Carol prepared his documents and sent him draft copies to review and discuss with his mother. SNSLP also set up another phone appointment whereby we could explain each provision of the documents to him and ascertain his preferences and wishes. Acceptable notary requirements and alternatives were researched and the notary blocks on the POAs were adjusted to account for a third party to sign on the Client's behalf and acknowledge his permission for this to take place. For the second interview, the SNSLP attorney discussed the provisions with Mr. J and had his mother prominently mark them with an "X." An appointment was made for the execution of these documents, at which time our attorney would review his choices and transfer the answers to unmarked documents in her own hand. The SNSLP Attorney and Paralegal traveled to his home for a signing appointment, at which time they visited with Mr. J and his mother, reviewed his choices on the documents, and Carol wrote in the information for him. Carol then signed his name and showed him the signature for his approval, then signed the notary book with both her name and his. When they returned to the office, they made copies of these documents to send to Mr. J with a closing letter. Mr. Jones' health situation is very serious; however, he was very clear-headed and decisive. He and his mother were very appreciative of the assistance Senior Law Program offered to them. Carol further visited with his mother, (who is in her 70s) regarding her well-being and the need for respite care, as she is her son's full-time caregiver. SNSLP followed up by sending her some information on resource options to assist with her needs.

**Volunteer Attorneys for Rural Nevadans (VARN) update**  
**November 2, 2021**

VARN moved its offices from 904 N. Nevada Street, Carson City, Nevada to 412 W. John Street, Suite C, Carson City, Nevada at the end of February, 2021. VARN was incorporated in 1996 - twenty -five (25) years ago. And moved to the Nevada Street building in approximately 2002. So, this was the first move for the VARN operation in almost twenty (20) years. At the same time, VARN updated all of its software, telephone, and electronic equipment. These items had not been updated for more than twelve (12) years. It was a monumental move for the non-profit. The Nevada Street building had been a great site for the growth of VARN. But, in recent years, VARN had outgrown the space that the Nevada Street building provided.

The new office is in the same Carson City neighborhood and only a few blocks away from the Nevada Street building. The new office is much more spacious and can house all the programs that VARN has to offer the residents of the Rural Counties of Nevada. But, as with any move and upgrade in equipment, their have been some bumps along the way. VARN did this twenty (20) year move in the middle of a pandemic that saw five (5) staff member ill with Covid 19, and three (3) pregnancies. All of the “moving” problems are in the past and VARN is now a smooth running law office.

During this year, VARN also welcomed a new Summer Law Clerk for the Senior Rural Law Project (RSLP). This was the first Summer Law Clerk position for VARN. The Domestic Violence Victim Assistance Project (DVVAP) also welcomed a new staff attorney. And VARN welcomed a new bilingual receptionist. VARN hopes to add another DVVAP attorney and legal assistant by the end of the year.

The RSLP program has received many kudos for it work with Seniors who reside in the Rural Counties of Nevada, especially during the recent and continuing eviction problem. Most recently the RSLP program was noted for its work in the recent ADSD newsletter.

During the pandemic, VARN has continued its Lawyer in the Lobby (LIL) program. LIL became even more popular during the pandemic because the program which provides a free twenty (20) minute consultation with an attorney, but instead of meeting in the VARN office during the pandemic, all consultations are handled over the telephone. VARN has expanded its LIL program to five (5) evenings per month with two (2) family law sessions, one (1) Senior session, one (1) general law session, and one (1) session for Spanish speakers.

VARN continues to operate its DVVAP program in the Rural Nevada Counties. This program provides victims of domestic violence with free legal assistance in family law matters and protection order matters. The DVVAP program works in cooperation with the Domestic Violence agencies in the rural Nevada counties to serve the DV victims and survivors in those areas. This program too has continued during the pandemic.

**Family Law Self-Help Center  
2021 Monthly Totals**

Column1	Total In Person helped FLSHC for Month	Total In Person helped TPO for Month	*TPO Applications	SHC Calls	TPO Calls	Chat	Email	Inmate Inquiries	Monthly Total	Running Total
January	0	0	41	3045	508	2434	350	24	6361	6337
February	0	0	49	2622	480	2616	420	17	6155	12492
March	0	0	40	3078	490	2875	429	19	6891	19383
April	415	28	78	2831	389	1993	418	29	6103	25486
May	1934	443	315	2290	407	355	413	16	5858	31344
June	2509	485	325	2156	389	848	317	22	6726	38070
July	2502	400	359	2047	370	769	220	33	6341	44411
August	2983	342	331	2235	448	656	286	23	6973	51384
September	3044	269	387	1868	346	652	322	23	6524	57908
October									0	57908
November									0	57908
December									0	57908

\*numbers are included in monthly total



Second Judicial District Court  
State of Nevada  
Washoe County

---

### **Washoe County Law Library**

*Second Judicial District Court*

*75 Court Street, Room 101*

*Reno, NV 89501*

*(775) 328-3250*

*[LawLibrary@washoecourts.us](mailto:LawLibrary@washoecourts.us)*

*[www.washoecourts.com/LawLibrary](http://www.washoecourts.com/LawLibrary)*

---

#### **Current Status**

The Washoe County Law Library, located inside the Second Judicial District Court, is open to the public for walk-in services. Appointments are no longer required. We have resumed our regular hours of operation: Monday and Thursday 8:00 to 5:00, Tuesday and Wednesday 10:00 to 7:00, and Friday 8:00-12:00. Staff is available to assist walk-in patrons, as well as by phone, email, and live chat.

#### **Summary of services**

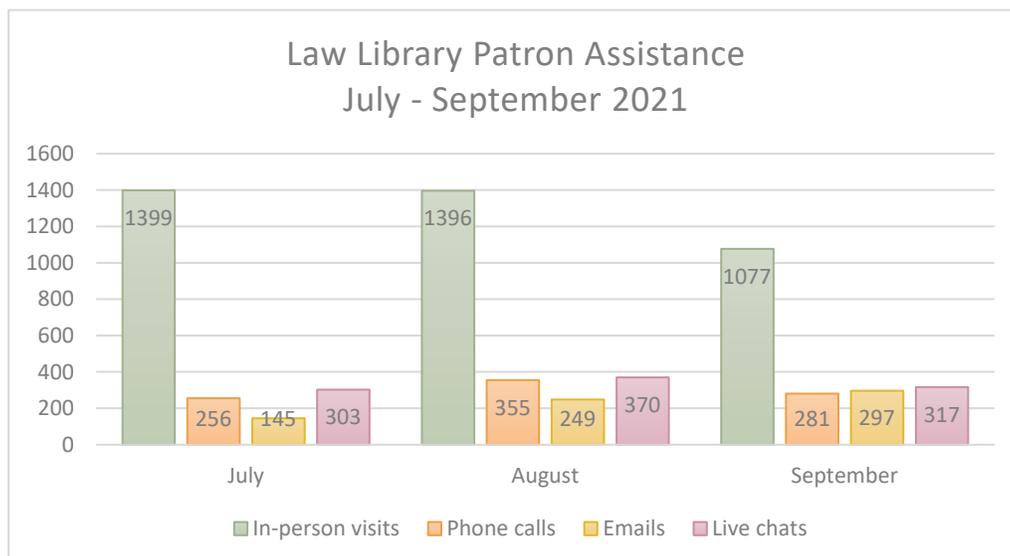
- Lawyer in the Library
  - The Lawyer in the Library program is by far one of our most in-demand services. We are continuing to offer this vital program utilizing a “virtual” format, using the Zoom platform.
  - We offer the Family Law program every Tuesday, General Law every Wednesday, and Probate Law on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of the month.
  - Patrons can sign-up for the program on our website, one week prior to the event.
  - 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.
  - If attendees do not have Zoom capability, they can either dial in to the meeting with a phone or come into the Law Library and utilize a computer dedicated for Zoom meeting usage.
- Lexis Digital Library
  - We added the Lexis Digital Library to our online offerings in February 2021. 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.
  - We recently received a \$20,000 grant from the Institute of Museum and Library Services through the Library Services and Technology Act, administered by the Nevada State Library, Archives and Public Records. With the funds, we were able to add additional Lexis titles, both in eBook format as well as in print.
- Westlaw access
  - The public can access the Law Library’s Westlaw subscription from inside the library on one of three computer terminals. Westlaw also continues 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.



Second Judicial District Court  
State of Nevada  
Washoe County

- Additional online resources
  - We offer additional online resources that patrons can use to perform research at the Law Library or remotely from home.
    - Gale Legal Forms is a forms database in which patrons can use to find legal forms templates and samples.
    - EBSCO Host has over 80 full text legal publications and reference books written in plain English and targeted towards self-represented litigants. We have 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.
  - HeinOnline
    - We are currently providing trial access to a database called HeinOnline through the end of the year. It can only be utilized in the Law Library.
    - With 30 research databases, this premier research platform contains the full text of more than 3,000 scholarly journals, access to U.S. federal and state case law, thousands of classic international documents, and a wealth of government publications.
- Events
  - We partnered with Westlaw to offer an Ethics CLE class on October 7, 2021, via Zoom. We had 25 attendees.
- Safety measures in place
  - Masks and social distancing are required inside the Law Library.
  - In anticipation of re-opening, we installed a self-checkout kiosk for patrons that utilizes RFID technology.
  - Plexiglass sneezeguards continue to surround 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 are available for both patrons and staff.

**Statistics**





Second Judicial District Court  
State of Nevada  
Washoe County





Second Judicial District Court  
State of Nevada  
Washoe County

---

### **Resource Center**

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

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

---

### **Current Status**

The Resource Center, located inside the Second Judicial District Court Family Division, is open to the public for walk-in services. Appointments are no longer required. We have resumed our regular hours of operation: Monday - Friday 8:00 a.m.-4:00 p.m.

### **Summary of services**

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

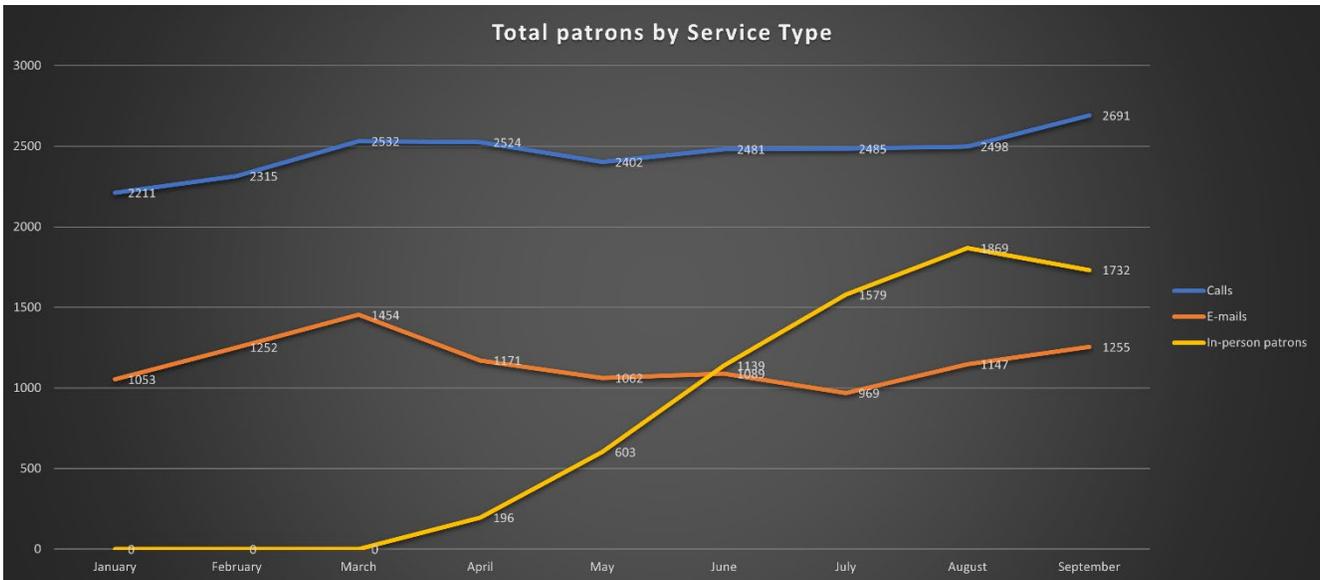
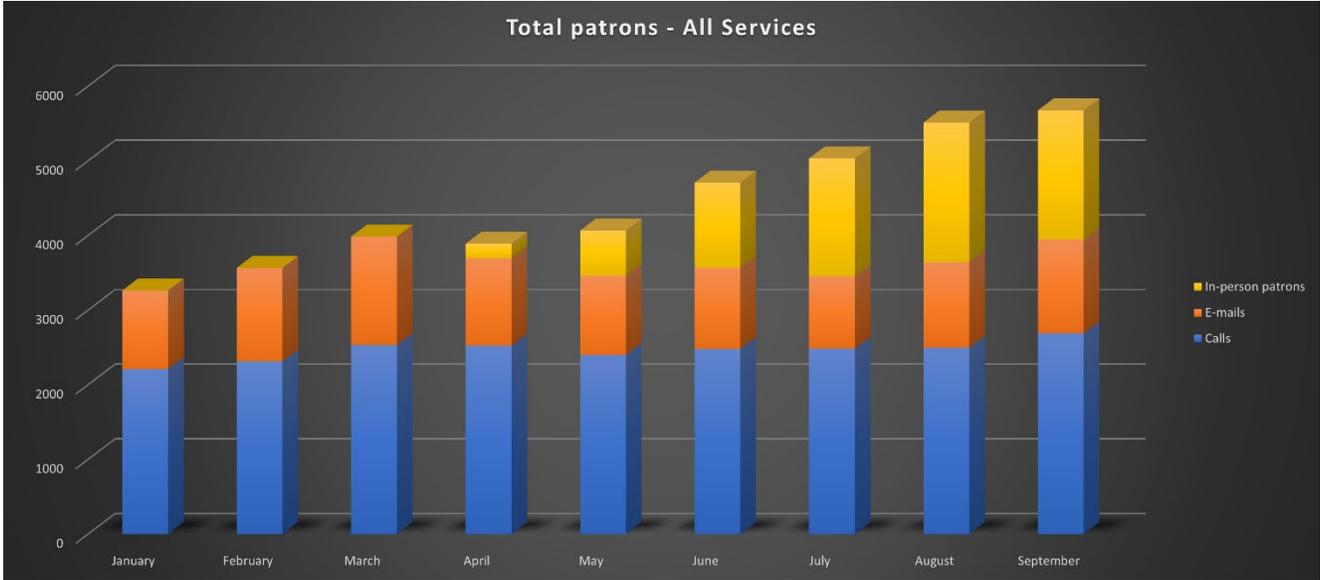
- Team members are available by phone at (775) 325-6731
  - Callers may go through the main court phone tree and select the appropriate number for the Resource Center or call us directly at the number above.
- General inquiries via e-mail at [resourcecenter@washoecourts.us](mailto:resourcecenter@washoecourts.us)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

### **Statistics**

The total number of patrons accessing our services has continued to increase through 2021. In the third quarter, we had a total of 5,180 in-person patrons, 7,674 phone calls, and 3,098 e-mails.



Second Judicial District Court  
 State of Nevada  
 Washoe County





## ACCESS TO JUSTICE COMMISSION

Triannual Nevada Legal Aid Provider/Pre-ATJC Meeting - Highlights  
Wednesday, October 6, 2021

### **Attendees Present**

Barbara Buckley  
Deonne Contine  
Diane Fearon  
Annamarie Johnson  
Victoria Mendoza

### **ATJC Staff Present**

Brad Lewis

This was a regularly scheduled triannual provider call.

### **Eviction Update**

We began the call with an update on the evictions landscape across the state.

- WLS - Deonne shared that recent WLS calls had been steady, though at elevated levels from normal. WLS has seen no effect from the CDC moratorium ending. Deonne commented that rental assistance continues to move slowly and that their staff had encountered at least one subpar mediator. Brad encouraged her to share any name(s), concerns and feedback for intervention. The one specific example was a mediator suggesting that tenant and landlord attorneys are not welcome to attend mediations, which is not the case. Brad will reinforce with mediators.
- NLS – Anna also reported mediations were steady and that it has been helpful that courts are scheduling hearings further out on the calendar. NLS is trying to reinforce with tenants not to wait to engage with the process as it is critical for success to apply for CHAP, be engaged, etc. Anna noted the tribal courts are also dealing with eviction issues.
- LACSN – Barbara commented that at least some motions to set aside are not being accepted and that rental assistance is key to positive outcomes.
- SNSLP – Diane shared that many seniors are shocked and numb when they get an eviction notice. SNSLP has redirected some resources to help seniors in need with evictions. Diane shared that they are seeing that evictions are up as compared with previously.
- VARN – Victoria noted that in Lyon, Dayton, Fernley, Carson City, Fallon and Minden, cases are being dismissed when rental assistance is pending.

### **Elder Grant**

Barbara shared that Kelvin Watson, the Executive Director of the Las Vegas - Clark County Library District, is supportive of a potential library/legal aid information kiosk initiative. Also noted was the potential to host Ask-



A-Lawyer events at libraries and potentially enter into a bus partnership. It was discussed that this is a significant undertaking and a contractor would need to be committed to the effort.

### **Celebrate Pro Bono Week 2021**

Brad shared that we're still on the cusp of Zoom and in-person events and it's understood that this is affecting *Celebrate Pro Bono Week* again in 2021, still, that some marketing and promotions should be conducted. Brad shared that he can again collect events from all and share with the widest possible audience. Diane Fearon shared that SNSLP's new pro bono initiative's first effort will be a Sign-A-Thon focused on document signing such as wills and advanced directives. Anna suggested that a media release be issued with all events. Brad agreed to compile and disseminate the list.

### **Statewide Technology and Self-Help Forms Committee**

Work has continued on the most common forms used statewide. One of the issues is filing. Barbara suggested that a "big idea" would be to have Nevada transition to a unified court system, making it easier for self-represented litigants to find and file forms. Regardless, some funding would be needed and we should stay up to date on possible grants, ARP funds, Nevada court technology initiatives and more with an eye toward funding consistent court filing.

### **ATJC New Commission Member Engagement**

We have the largest number of new Commission members in recent memory. It would be nice to take special effort to engage them in initiatives of interest. One idea was to develop a matrix of all projects and efforts underway to see if new members might like to align with something of interest. Brad will pursue.

## NBA July 2021 Newsletter –

The IOLTA Report: Justice for All?

### *IOLTA Funds and Nevada Courts Support Self-Help for Those Without a Lawyer*

An estimated three out of five people in civil cases go to court without a lawyer, that's according to the Self-Represented Litigation Network. That's why IOLTA – Interest on Lawyer Trust Account – dollars are used to fund self-help services.

Most people are not familiar with court procedure, when and how to file what, time limitations, and find “legalese” far from the plain language they can understand and follow. It can be a daunting and scary prospect when attempting to address protection against domestic violence, improving the future of an abused or neglected child, gaining proper care for a senior, or simply filing a small claim or handling a probate matter.

Many without a lawyer lose in court simply because they didn't get the legal help they needed. That's why self-help centers are so important.

In Clark County the [Civil Law Self Help Center](#) helps those with little knowledge of the ins and outs of the court system with court basics, and how to represent yourself in court. There is information on how to research the law, which forms to use, and how much time you have to address your legal matter. Clark County also boasts the [Family Law Self Help Center](#) which answers questions about divorce, custody, paternity, child support, protection orders, and adoption, name changes and more.

Both Clark County self-help centers have robust websites with hundreds of forms including a “Guide & File” program which allows Nevadans to answer simple questions which then automatically fill court forms correctly. Both centers are open to the public during court hours. For those with very low income, guidance on court fee waivers is offered. Last year well over 100,000 Nevadans used Clark County self-help services.

In Washoe County, the Second Judicial District Court [Resource Center](#) provides information on court process and procedures, court approved forms and packets, and assists with filing of documents. The [Washoe County Law Library](#) offers a wide array of online education, tools, and resources to help the public access the courts.

A [statewide web portal](#) is operated by the Nevada Supreme Court. After selecting your region, guidance for all types of matters is featured, including how to find your relevant court and information on going to court, forms, and frequently asked questions.

If you or someone you know encounters a need for civil legal help and cannot afford a lawyer, Nevada's legal self-help services, some funded in part by IOLTA, are a welcome resource to assist with your problem.

We thank Nevada's IOLTA-participating financial institutions and the Nevada court system for the critical support provided to the public which helps streamline court dockets, benefitting everyone who engages with Nevada's court system.

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

Public Awareness 062521 –

Since the March 25, 2021 report...

**Twitter** - We increased from 202,557 to 207,120 impressions and from 8,924 to 9,344 profile visits on Twitter. We encourage you to follow us **@NevadaATJ**.