



Nevada Supreme Court Access to Justice Commission

Meeting - Friday, March 17, 2022 2:00 PM – 4:00 PM

Join Zoom Meeting

<https://nvbar.zoom.us/j/86568497204>

Meeting ID: 865 6849 7204

877 853 5257 US Toll-free

888 475 4499 US Toll-free

You may simply click the link to 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 Agenda

- | | | |
|---|-------------------|--------------|
| I. Opening Statements from Co-Chairs
& Commission Roll Call | 5 minutes | |
| II. Consent Agenda | 5 minutes | Tab 1 |
| • Approval of November 4, 2022 Commission Meeting Minutes | | |
| III. Discussion Items | | Tab 2 |
| • Pro Bono Promotion Reinvigoration Plan | 20 minutes | |
| ○ State Bar of Nevada Section Pro Bono Challenge | | |
| ○ Judicial support, court kickoffs | | |
| ○ Recognition event dates (NSC/NCOA, EJDC, SJDC) | | |
| ○ Tracking and measurement | | |
| • Limited Practice Rule Draft | 15 minutes | |
| • Legislative and Eviction Diversion Update | 10 minutes | |
| • IOLTA | 10 minutes | |
| ○ Bank of Nevada “prime rate” concept, CRA concept | | |
| ○ IOLTA Rate Review | | |
| ○ Continued financial institution outreach | | |
| • Unbundled Services | 10 minutes | |
| ○ Pilot program feedback, next steps | | |
| • Nevada AG Office of Military Legal Assistance Update | 5 minutes | |
| • Elder Grant – Library Legal Kiosk Program Update | 5 minutes | |
| • Commission Member Term Expirations | 5 minutes | |
| IV. Reports | 5 minutes | |
| V. Other Business | 5 minutes | |
| • State Bar of Nevada Creed of Professionalism and Civility | | |



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VI. Informational Items

Tab 3

- Legal Aid Provider Highlights
- Self-Help Center Statistics
- Triannual Provider Call Recap
- Nevada Bankers Association *The IOLTA Report*
- Public Awareness

Upcoming Access to Justice Commission Meetings

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

June 9, 2023

November 3, 2023

Our Purpose

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



ACCESS TO JUSTICE COMMISSION

Access to Justice Commission Meeting Minutes Friday, November 4, 2022 – 2:00 p.m.

Commission Members Present

Justice James Hardesty, Co-Chair
Justice Kristina Pickering, Co-Chair
Justice Elissa Cadish
Connie Akridge
Bobette Bond
Diane Fearon
Doreen Spears Hartwell
Ann Walsh Long
Augusta Massey
Joseph McEllistrem
Victoria Mendoza
Judge Bridget Robb
Marisa Rodriguez
Judge John Schlegelmilch
Raine Shortridge
Judge Connie Steinheimer
Glen Stevens
Judge E. Alan Tiras
Steven "J.T." Washington
Michael Wendlberger
Peter Wetherall
Judge Nathan Tod Young

Guests Present

Sarah Bates
Barbara Buckley
Shay Digenan
Rhea Gertken
Chanteyl Hasse
Dawn Jensen
Susan Myers
Jonathan Norman
Jennifer Richards
Tara Zimmerman

Staff Present

Brad Lewis



Call to Order/Roll Call/Minutes

The Access to Justice Commission meeting was called to order. Justice Hardesty welcomed all and a roll call was conducted. Justice Pickering thanked Justice Hardesty for his years of service to the Court, access to justice, and 16 years as Access to Justice Commission (Commission) Co-Chair, and shared that the Commission would present an award. As the call was held by Zoom, Justice Cadish was also at the Carson City Court and presented the award to Justice Hardesty in person which read, “In recognition of your unparalleled leadership and enduring commitment to access to justice.”

Justice Hardesty accepted the award, thanked Justice Pickering and Justice Cadish, and expressed that he was honored to receive the award. He applauded everyone’s efforts, outlined the success of the IOLTA program increasing funding for legal aid in Nevada, the legal aid providers’ commitment to those in need and respect for them growing legal services programs, and concluded with recognizing the judges who have delivered stalwart support of access to justice over many years.

Justice Hardesty then requested approval of the March 25, 2022 minutes. The minutes were adopted.

Justice Hardesty welcomed Ann Walsh-Long, the new Nevada Supreme Court Law Librarian, and began the meeting.

Commission Membership Nominations

Nominating Chair Doreen Spears Hartwell presented two new Commission members for a vote. Dawn Jensen to replace Nic Danna in the new Nevada Attorney General Office of Military Legal Assistance slot, and Tara Zimmerman to replace Deonne Contine in the Northern Nevada Legal Aid (formerly Washoe Legal Services) slot. The nominations were moved, seconded, and voted unanimously. Justice Hardesty welcomed the new members to the Commission.

Pro Bono Reinvigoration

Justice Cadish thanked members of the judiciary for their involvement in renewed pro bono efforts and Brad shared recent print and digital advertising along with media exposure. Marisa Rodriguez and Jennifer Richards shared their efforts at the Public Lawyer Conference. Approximately 250 attended the conference in person and by Zoom and a fun Jeopardy-style game generated 27 pro bono cases taken. There was a good rivalry between the City of North Las Vegas and the City of Henderson which generated the best pro bono participation of public lawyers in years. Brad outlined a next push via a State Bar of Nevada Pro Bono Section Challenge to kick off early in 2023 and run through May 31 ahead of the State Bar of Nevada annual bar conference in June.

Legislative Update



Jonathan Norman, through the Nevada Coalition of Legal Service Providers, has advocated for an update to Nevada's summary eviction process, especially related to the first court action being required by the tenant versus the landlord. Other key actions include updates to the Durable Power of Attorney for Healthcare. Highly requested by clients of legal aid, the current document is difficult for clients to understand. Service by Publication is no longer believe most useful in today's world but would require a change to NRCP.

Barbara Buckley shared that the Las Vegas Justice Court, through a \$1.25 million grant from the National Center of State Courts Eviction Diversion Initiative, has been working with Clark County to help stabilize housing for at-risk families. The newly funded program started November 1. The press conference was well attended with Governor Sisolak, Justice Hardesty, Chief Judge Saragosa, and many other leaders attending. With the COVID rent subsidies ending, the court and county teams will focus efforts on seniors and the disabled. Some rental funding will continue with more than \$15 million from the state and Clark County. Ms. Buckley stated that both the apartment association and Realtors supported the national model and trends in eviction diversion. Justice Hardesty thanked Judge Saragosa for her hard work and efforts in collaboration with all, and her work on the complex operating guidelines. He stated that Clark County is key to this effort and shared his thanks for their interest and involvement.

ADR and Short Trials

UNLV Professor Lydia Nussbaum and Lena Rieke, UNLV Law Library, were unable to attend today's meeting but wanted to thank everyone for efforts related to the findings from the Committee to Study the Rules Governing Alternative Dispute Resolution and Nevada Short Trials (ADKT 0595). They submitted a letter for consideration and discussion outlining two key questions.

- "how do Nevada's self-represented litigants fare in ADR? If they are at a comparative disadvantage to represented litigants—meaning they win less often and receive smaller awards when they do win—then how can they best be helped?
- what are additional ways to support the third-party neutrals who work with this population of litigants?"

Justice Hardesty thanked the bar and the Eighth Judicial District Court for the update and adoption of the order. He shared that if there is a fee waiver that senior justices could be used so people don't have to pay, and that CLE credit could be awarded in these cases. Brad will follow up with Professor Nussbaum.

IOLTA

The IOLTA Rate Review Committee agreed to increase Nevada IOLTA rates, letting the SCR 217 emergency ADKT authorizing a rate of .65% due to COVID (.05% below the SCR 217 minimum of .70%) to expire. (The *Leadership Institution* rate during the emergency was .70%.) The new rates were agreed to be a .75% minimum, with the *Leadership Institution* minimum at .80%.



Brad shared that IOLTA financial institution outreach continued from the north last spring, to now in the south this fall. Nevada Bar Foundation board of trustee's president, Mark Brandenburg has joined in the meetings to thank banks and share how funds support legal aid to assist low-income Nevadans. The final meeting of the year is scheduled with Bank of Nevada on November 8. Chief Justice Parraguirre, incoming Chief Justice Stiglich, and Justice Hardesty will join Mr. Brandenburg and Brad. Certificates of recognition will given to Bank of Nevada retiring CEO John Guedry in recognition of his leadership and commitment to higher IOLTA rates that have increased funding for legal aid in Nevada.

Justice Hardesty outlined that such leadership matters. For 2023, we expect IOLTA funds granted by the Nevada Bar Foundation will reach \$6.5 million, compared to the previous high in 2022 of \$5,030,000.

Unbundled Services

Unbundling ADKT 0597 was filed 8/16/22 but did not take effect until 11/1/22 so there is no feedback yet. Justice Cadish and Justice Pickering requested that legal aid providers monitor the program and keep in touch with pilot program feedback.

Elder Grant – Library Legal Kiosk Program

Susan Myers, grant project manager for the joint legal aid provider project lead and administered by Nevada Legal Services, reported that the project is advancing. Significant work has been done gathering bids from developers and communicating with other kiosk programs to see what is effective and pitfalls to avoid. Great feedback has been gathered on how best to deploy legal information to self-represented litigants. A final developer decision will be made soon, along with details of kiosk locations. The legal content gathering and building continues with good results to date. Jennifer Richards has recommended funds should be viewed with an eye toward long-term sustainability of the legal kiosks. Ms. Myers has been working closely with Stephanie McDonald and the Nevada Supreme Court law library team on the latest form updates for the kiosks.

Reports

- Nevada Supreme Court Law Library - Ann Walsh-Long reported that Shanna Pritchett on her team is currently administering a \$20,000 grant to translate 28 commonly used legal forms into the most needed languages, including Spanish, Tagalog, and Vietnamese. Word and PDF fillable form versions have been developed and are being placed on key webpages used by self-represented litigants. An additional grant will be pursued in 2023 to continue the project. Feedback on rural forms needed is sought. Judge Young volunteered to touch base with Ms. McDonald.
- Legal Aid Center of Southern Nevada - Ms. Buckley shared that she would like to see a limited practice rule that could act as a hiring pipeline for legal aid by allowing law school graduates to act as lawyers under supervision of a legal aid attorney for a defined time period. Brad to follow up.
- Nevada Legal Services – nothing in addition to their report to share.



- Southern Nevada Senior Law Program – Diane Fearon shared that their 10th anniversary program went well with a good turnout and thanked members of the judiciary for attending. She announced that SNSLP received a grant from the Nevada Bar Foundation for a pro bono coordinator to help with pro bono reinvigoration and outreach. The Legal Server case management system was purchased with a Nevada DHHS/ADSD grant.
- Northern Nevada Legal Aid – Tara Zimmerman thanked the Commission for voting her to represent NNLA and that it was her honor to participate and serve.
- Volunteer Attorneys for Rural Nevadans – Victoria Mendoza shared that VARN had hired a new, much-needed attorney to help serve their clients.

Justice Pickering asked Justice Hardesty if he would continue as chair of the Commission's IOLTA Rate Review Committee, and he graciously accepted. Justice Pickering called for a vote which was moved and seconded to formally vote him to continue on the Commission. Justice Pickering thanked him for his service and continued commitment to access to justice.

Informational Items

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

- Legal Aid Provider Highlights
- Self-Help Center Statistics
- Triannual Provider Call Recap
- Nevada Bankers Association *The IOLTA Report*
- Public Awareness

GET COUNTED!

JOIN THE SECTION PRO BONO CHALLENGE

EASY AS 1, 2, 3

1



**Every \$500 in
donations earns
1 point**

2



**Every Ask-A-
Lawyer or Lawyer
in the Library
earns 2 points**

3



**Every case
earns 3 points**

**WINNERS EARN RECOGNITION AND
JUDICIAL NETWORKING OPPORTUNITIES**

Learn more at www.nvbar.org/sectionsprobonochallenge

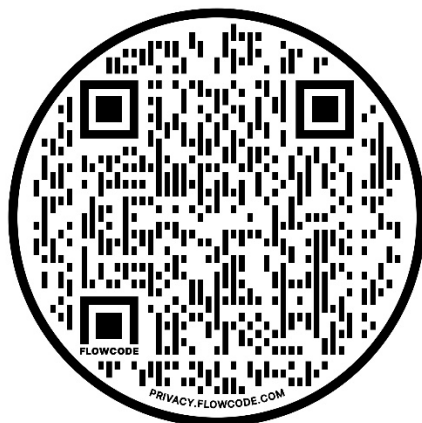


Join the Section Pro Bono Challenge – Earn Bragging Rights!

Challenge Period: February – May 31, 2023 | www.nvbar.org search “sections”

The Challenge is Easy as 1 > 2 > 3

- A friendly competition between sections to benefit pro bono
- It's **Easy as 1 > 2 > 3** to participate by going online
 - **Earn 3 Points – Take a Case**
 - www.nvbar.org/volunteer-for-pro-bono-sign-up/
 - **Earn 2 Points - Join an Ask-A-Lawyer**
 - www.nvbar.org/volunteer-for-pro-bono-sign-up/
 - **Earn 1 Point - Donate in Lieu of Pro Bono**
 - www.nevadabarfoundation.org/donate/
 - Select “Dedicated”, “Pro Bono”
 - Every cumulative \$500 in section donations earns 1 point
- To count for your section
 - Volunteer or donate online during the Challenge Period
 - Volunteer online during the Challenge Period for service completed this year
- Winners earn
 - **Recognition at the State Bar of Nevada annual bar conference**
 - **Top volunteer from Top 10 sections earns lunch with the Nevada Supreme Court and Nevada Court of Appeals**
 - **All participants invited to Judicial receptions** at the Eighth and Second Judicial District Courts
 - **Bragging rights!** Section featured in *Nevada Lawyer*, SBN eNews and social media



Section Pro Bono Challenge Update 3/10/23 –

The Family Law Conference held last week helped boost Section Pro Bono Challenge numbers. We now have 21 cases and 17 Ask-A-Lawyer/Lawyer in the Library commitments and have raised more than \$3000 in donations. 102 total points have been awarded to sections.

Also, this past week Paola Armeni's article encouraging challenge participation ran in both the CCBA *Communique* and the WCBA *The Writ*.

We will now begin posting a "leaderboard" on the challenge webpage and will update weekly. We will also feature a challenge and leaderboard link each week in the "This Week at the State Bar" column of SBN eNews.

Here are the latest stats (with % participation and points – case = 3, Ask = 2, \$500 donations = 1):

- **Overall points leader as a percent of section participation** – Family Law Section (12.8%)
- **Cases taken leaders** – Family Law Section (45)
- **Ask-A-Lawyer/Lawyer in the Library leader** – Public Lawyers Section (12)
- **Every \$500 in donations in lieu of pro bono leader** – Family Law Section (4)
- **All other sections with points** –
 - Alternative Dispute Resolution
 - Appellate Litigation
 - Cannabis
 - Litigation
 - Probate and Trust
 - Young Lawyers

Other participating sections: Creditors Bar, Gaming, LGBT, Real Property, and Solo and Small Practice. If you are a board liaison to a section not yet earning points, please reach out.

The complete program information is here - [Sections Pro Bono Challenge – State Bar of Nevada \(nvbar.org\)](https://nvbar.org).

Proposed Rule 49.5 of the Supreme Court Rules

Rule 49.5. Limited practice for Supervised Legal Practitioners.

1. Eligibility. Application for limited practice for law school graduates employed by or associated with an organized legal services program approved by the Access to Justice Commission or its designee and funded from state, federal, or recognized charitable sources that provides legal assistance to indigents in civil matters, and supervised by a member of the State Bar of Nevada who meets the eligibility requirements as a supervising lawyer.

2. Requirements. A graduate applying for limited certification as a supervised legal practitioner under this rule shall:

- (a) Have completed a full course of study and graduated from a law school with a juris doctorate or equivalent law degree approved by the American Bar Association;
- (b) Intend to become a member of the Nevada bar;
- (c) Not have been denied admission to the practice of law in Nevada for any reason except for failing to attain a passing score on any examination;
- (d) Certify that the applicant is not currently subject to discipline for academic dishonesty or the subject of a pending disciplinary matter in any jurisdiction; and
- (e) Apply for certification pursuant to this rule on a form to be furnished by and filed with the state bar.
 - (1) The application shall include a written certification that the applicant has read and is familiar with the Model Rules of Professional Conduct of the American Bar Association and the Rules of Professional Conduct of this court and will abide by the same in the activities permitted by this rule. The filing of an application pursuant to this rule is deemed a consent by the applicant to be subject to all disciplinary processes of the court and the state bar. Any offense that would subject a lawyer admitted to practice law in this state to suspension or disbarment may be punished by suspension or forfeiture of the applicant's privilege of taking the bar examination and being licensed to practice law in this state.
 - (2) The application must be accompanied by a statement from the applicant's supervising attorney attesting that the applicant will be a full-time employee or otherwise associated with the organization in a full-time capacity except for periods when studying or sitting for the Nevada Bar examination and that the nature of the employment conforms to the requirements of this rule.

3. Certification.

- (a) Unless sooner withdrawn or terminated, certification under this rule shall remain in effect as long as the supervised legal practitioner remains eligible to participate in the activities permitted under this rule.
- (b) The certification may be terminated by the state bar at any time without notice or hearing and without any showing of cause by mailing a notice of such termination to the supervised legal practitioner and the supervising lawyer.
- (c) The certification terminates automatically whichever occurs sooner:
 - (1) If the supervised legal practitioner does not pass the Nevada bar examination after having made 2 attempts.
 - (2) Eighteen (18) months after the supervised legal practitioner has graduated from law school.

- (3) If the supervised legal practitioner leaves the employ of an organized legal services program approved by the Access to Justice Commission or its designee and funded from state, federal, or recognized charitable sources that provides legal assistance to indigents in civil matters, except for employment with a different organized legal services program as described herein.

4. Supervision. A “supervising lawyer” shall mean either a member of the state bar in active practice employed by an organized legal services program approved by the Access to Justice Commission or its designee and funded from state, federal, or recognized charitable sources that provides legal assistance to indigents in civil matters. A supervising lawyer shall:

- (a) Be an active resident member of the state bar, and, before supervising the activities specified in subsection 5, shall have actively practiced law in Nevada as a full-time occupation for at least five (5) years.
- (b) Supervise not more than two (2) supervised legal practitioners concurrently.
- (c) Personally assume professional responsibility for all work undertaken by the supervised legal practitioner while under the lawyer’s supervision.
- (d) Assist and counsel the supervised legal practitioner in the activities permitted by this rule and review such activities, to the extent necessary for the proper training of the practitioner and protection of the client.
- (e) The supervising lawyer, after a period of time deemed appropriate by the supervising lawyer, need not be continuously personally present throughout the activities permitted under subsection 5.
- (f) The supervising lawyer’s name must be on all pleadings, briefs, or other papers prepared by the supervised legal practitioner before filing so that the supervising lawyer is responsible to the court for all filings; and the supervising lawyer must read and approve any documents prepared by the supervised legal practitioner for execution by any person before submission to that person.
- (g) Notify the state bar in writing promptly whenever supervision of the supervised legal practitioner pursuant to this rule ceases, unless by reason of automatic termination pursuant to section 3(c)(1) or (2) above.

5. Activities permitted under this rule. Under the limited application of this rule, the supervised legal practitioner may, under the supervision of a supervising lawyer, but without requiring the supervisor’s continued presence after a time period deemed appropriate by the supervising lawyer, engage in the following activities with the written consent of the client on whose behalf the supervised practitioner is performing the activities:

- (a) Appear in a court of limited jurisdiction or an administrative tribunal without the presence of the supervising lawyer.
- (b) Prepare documents to be filed in court or with a legislative or administrative body.
- (c) Prepare transactional documents such as contracts, incorporation papers and by-laws, and filings required by a state, federal, or other governmental body.
- (d) Negotiate and mediate the settlement of claims and disputes.
- (e) Prepare and mail correspondence.
- (f) Counsel and give legal advice to clients.

In all instances where, under this rule, a supervised legal practitioner is permitted to appear in court or before an administrative tribunal, the supervised legal practitioner shall file with the court or tribunal a copy of the written consent of the client required by this subsection and shall bring that consent to the attention of the judge of the court or presiding officer of the tribunal.

6. Use of supervised legal practitioner's name. The name of a supervised legal practitioner under this rule may properly be:

- (a) Signed and printed or typed on briefs, pleadings, and other similar documents on which the supervised legal practitioner has worked under the direction of the supervising lawyer if the supervised legal practitioner is clearly identified as certified under this rule.
- (b) Signed to letters written on the supervising lawyer's letterhead that relate to the supervised work if the supervised legal practitioner is clearly identified as certified under this rule.

7. Compensation. A supervised legal practitioner may neither ask for nor receive any compensation or remuneration of any kind directly from the client on whose behalf he or she renders service. Nor may a supervising lawyer charge a client an amount greater than that customarily charged for the lawyer's services. This shall not prevent a nonprofit organization rendering legal aid to indigent persons from compensating the supervised legal practitioner for his or her services.

8. Other Lawful Acts. Nothing in this rule shall affect the right of any supervised legal practitioner who is not admitted to practice law to engage in any legal-related services he or she might lawfully do otherwise.

9. Place of filing. All documents required to be filed with the state bar by this rule shall be filed with the admissions director of the state bar.

STATE BAR OF NEVADA
3100 W. Charleston Blvd., Ste. 100
Las Vegas, Nevada 89102

IN THE MATTER OF THE APPLICATION
FOR LIMITED LICENSURE OF

_____ ,

AS A SUPERVISED LEGAL PRACTITIONER.

APPLICATION FOR CERTIFICATION OF LIMITED LICENSURE FOR SUPERVISED
LEGAL PRACTICE IN ACCORDANCE WITH SUPREME COURT RULE ____

I hereby apply for limited licensure in accordance with Supreme Court Rule ____ and
certify as follows:

1. My full name is: _____.
2. My present address is: _____.
3. Pursuant to Supreme Court Rule ____, I certify that I have graduated from
_____, a law school approved by the ABA and have
received a juris doctorate degree or equivalent law degree. I graduated on _____.
4. I intend to become a member of the Nevada bar.
5. I applied to take the Nevada bar examination in _____ and my
application was submitted on _____.
6. I have not been denied admission to the practice of law in Nevada for any reason
except for failing to attain a passing score on the examination.
7. I am not currently subject to discipline for academic dishonesty or the subject of a
pending disciplinary matter in any jurisdiction.
8. I have read and am familiar with the Model Rules of Professional Conduct of the
American Bar Association and the Rules of Professional Conduct of the Supreme Court of
Nevada. I will abide by the same in the activities permitted by Supreme Court Rule ____.
9. I hereby irrevocably consent to be subject to all disciplinary processes of the State
Bar of Nevada including but not limited to the imposition of fines by Disciplinary Boards, the
Board of Governors of the State Bar of Nevada or by the Nevada Supreme Court and consent
that any offense which would subject an attorney to suspension or disbarment may be punished

by suspension or forfeiture of my privilege of taking the Bar Examination or being licensed to practice law in the State of Nevada.

10. I am employed by _____, and my activities will be supervised by _____.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Date: _____

Signature

Printed Name

STATE BAR OF NEVADA
3100 W. Charleston Blvd., Ste. 100
Las Vegas, Nevada 89102

IN THE MATTER OF THE APPLICATION
FOR LIMITED LICENSURE OF

_____,

AS A SUPERVISED LEGAL PRACTITIONER.

DECLARATION OF SUPERVISING LAWYER

I hereby certify as follows:

1. I am an active resident member of the State Bar of Nevada and have been actively practicing law in Nevada as a full-time occupation for at least five (5) years.

2. I am employed by _____, an organized legal services program approved by the Access to Justice Commission or its designee and funded from state, federal, or recognized charitable sources that provides legal assistance to indigents in civil matters.

3. I will supervise the activities of _____ pursuant to Rule _____. I do not currently supervise more than 1 other supervised legal practitioner. _____ is a full-time employee or associated full time in an employment capacity with the organization.

4. I assume professional responsibility for any work undertaken by said supervised legal practitioner.

5. I will assist and counsel the supervised legal practitioner and review the activities of the supervised legal practitioner to the extent required under the Rule and for the protection of the client.

6. I have read and am familiar with the provisions of Rule _____ and will fully comply with said Rule.

7. I will promptly notify the State Bar of Nevada in writing whenever my supervision of the supervised legal practitioner terminates unless terminated automatically because the supervised legal practitioner has passed the Nevada bar examination or 18 months has passed from the date of graduation.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED: _____

Supervising Lawyer

Employer

Employer Address

City, State, Zip

Bar Number

Practitioner: _____
License No. _____
Attorney: _____
Bar No: _____
Firm: _____
Address: _____

Phone: _____
Email: _____
Attorney for: _____

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

PLAINTIFF,

Plaintiff,

v.

DEFENDANT,

Defendant.

Case No.:

Dept.:

**CONSENT OF CLIENT TO REPRESENTATION BY SUPERVISED LEGAL
PRACTITIONER PURSUANT TO SUPREME COURT RULE**

Pursuant to Supreme Court Rule ____, the undersigned hereby notices the court of their appearance on behalf of _____, pursuant to Supreme Court Rule ____.

Undersigned Party understands that _____, the supervised legal practitioner herein, is licensed for limited practice under Supreme Court Rule ____, will represent Party and appear on their behalf in these legal proceedings. Client further understands that a licensed attorney, admitted to practice in Nevada, will supervise the legal work of the supervised legal practitioner. Client hereby authorizes and consents to representation by said supervised legal practitioner.

Dated: _____

Dated: _____

► _____
(Attorney's signature)

► _____
(Client signature)

(Attorney's printed name)

(Client printed name)

IOLTA Prime Rate Program Concept –

At an IOLTA financial institution outreach and thank you meeting on November 8, 2022 attended by, at that time, ATJC Co-Chair Justice Hardesty, Chief Justice Parraguirre, and Justice Stiglich, retiring Bank of Nevada CEO John Guedry took the opportunity to share the potential for higher IOLTA rates in this time of rising interest rates.

In follow up, Bank of Nevada's Sarah Guindy learned that his thinking was perhaps IOLTA interest could be based on 50% of the Federal Funds Target Rate (FFTR). Currently, our minimum IOLTA rate is .75 % (Leadership Institutions .80%) and the FFTR is 4.5%.

Mark Brandenburg, Nevada Bar Foundation Board of Trustees President suggested calculating potential IOLTA interest in that scenario. The accompanying IOLTA remittance projections outline potential remittances based on number of participating financial institutions, showing annual revenue ranging from \$9,822,132 to \$19,643,883. This compares to the 2022 actual of \$6,575,717.

Several states do offer "prime rate" programs, another form of opt-in, higher interest rate options where banks can demonstrate their commitment to the legal community and access to justice. Below is an example of language that could be drafted should we determine there is an appetite to pursue. Mr. Guedry committed to drafting a document to share with Justice Hardesty, who will continue as the Chair of the ATJC IOLTA Rate Review Committee.

Nevada financial institutions may elect to participate in the Nevada IOLTA program as a Prime Rate Partner. Prime Rate Partners remit IOLTA interest based on 50% of the Federal Funds Target Rate.

Mr. Guedry's proposal is expected to include a minimum floor rate (at least the IOLTA SCR 217 minimum) and a ceiling rate to be determined.

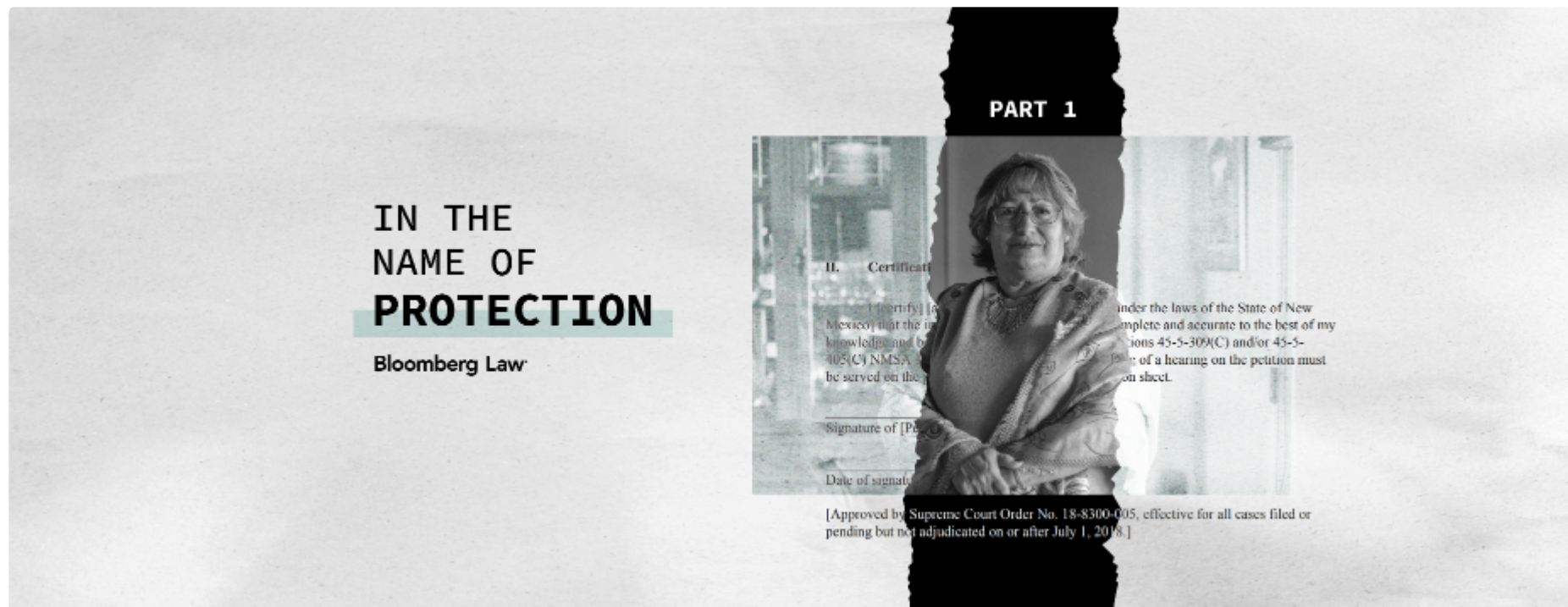
Considering the significant increase in the FFTR since our last change in the IOLTA rate, we should discuss if it may be appropriate to expedite a meeting of the IOLTA Rate Review Committee to consider a change in the IOLTA rate and rate process.

Additionally, the Community Reinvestment Act (CRA) was discussed. Banks earn CRA when they help meet the needs, including credit needs, of low- and moderate-income (LMI) neighborhoods. In some states, CRA credit is awarded for IOLTA, but not in Nevada. In conjunction with the Nevada Bar Foundation and the National Association of IOLTA Programs (NAIP) the ATJC has written and supported letters to recognize IOLTA as an approved activity for CRA. It was discussed that perhaps Justice Hardesty and Mr. Guedry could cooperate to pursue this ability in Nevada.

Elder Grant Library Legal Kiosk Project

Late in 2022, the Project hired web developer A2J Tech, which has done several kiosk projects in other states. Nevada's Project is different in that other states' kiosks link to an existing statewide website, either a [LawHelp.org](https://lawhelp.org) site or a single statewide legal aid provider's webpage. Nevada did not have such a site, so the Project has built content curated from self-help resources, courts, and legal aid organizations across the state. The content for the kiosk site has been largely completed, including a Spanish site. The kiosks also will include links to Zoom and Blue Jeans for video hearings and meetings. There are 10 branches in four library districts being scheduled to receive kiosks, and Project Manager Susan Myers has been communicating with additional libraries. The Project has coordinated with the self-help centers, the AOC and the Nevada Supreme Court Law Library and [State of Nevada Self-Help Center \(nvcourts.gov\)](https://nvcourts.gov).

B	ROSTER	Access to Justice					
1	Pickering	Kristina	Justice	Co-Chair	Nevada Supreme Court/S	2	
2	Cadish	Elissa	Justice	Co-Chair	Nevada Supreme Court/N	2	
3	Akridge	Connie		Representative	At Large Representative/S	2(i)	7/1/24
4	Anderson	Rachel		Faculty Representative	UNLV	2(g)	7/1/24
5	Bond	Bobbette		Culinary Union	Non-Attorney/S	2(h)	7/1/23
6	Bradley	Annette		Representative	Layperson/S	2(i)	7/1/23
7	Chatterjee	Milan		Representative	At Large Representative/S	2(i)	7/1/23
8	Desmond	John		Representative	Washoe County Bar/N	2(f)	7/1/24
9	Fearon	Diane		Executive Director	SNSLP/S	2(e)	7/1/23
10	Fortin	John		SBN Young Lawyers Rep.	SBN Young Lawyers Section/S	2(g)	7/1/24
11	Hardesty	James	Justice	Representative	Nevada Supreme Court/N	2(i)	7/1/25
12	Jensen	Dawn		Dir. Ofc. Military Lgl Asst	NV AG/ Special Assistant AG/N	2(d)	7/1/25
13	Kinsella	Courtney		Student Representative	UNLV – PILA, President/S	2(g)	4/15/23
14	Kishner	Joanna	Hon.	District Court Judge	EJDC/S	2(a)	7/1/23
15	Lambrose	Margaret “Maggie”		501(c)3 Representative	Nevada Bar Foundation/S	2(e)	7/1/23
16	Lu	Cynthia	Hon.	Representative	WCBA/SJDC/N	2(a)	7/1/23
17	Massey	Augusta		Representative	At Large Representative/S	2(i)	7/1/23
18	McEllistrem	Joseph	Dr.	Representative	Layperson/N	2(h)	7/1/24
19	Mendoza	Victoria		Executive Director	VARN/N	2(e)	7/1/24
20	Robb	Bridget	Hon.	District Court Judge	Second JDC/N	2(a)	7/1/23
21	Rodriguez	Marisa		Sr. Dep. City Attorney	SBN Board Representative/S	2(f)	7/1/24
22	Schlegelmilch	John	Hon.	District Court Judge	3rd JDC/N	2(b)	7/1/23
23	Shortridge	Raine		Nevada State Bank	At Large Representative/S	2(i)	7/1/23
24	Spears Hartwell	Doreen		Representative	At Large Representative/S	2(i)	7/1/24
25	Steinheimer	Connie	Hon.	Representative	At Large Representative/N	2(i)	7/1/24
26	Stevens	Glen		United Healthcare/Sierra	Non-Attorney (G. Stevens, Esq.)/S	2(h)	7/1/23
27	Tiras	E. Alan	Hon.	Incline Village JOP	Limited Jurisdiction Judge/N	2(c)	7/1/23
28	Tully	Adam		Representative	At Large Representative/N	2(i)	7/1/24
29	Walsh-Long	Ann		Law Librarian	Nevada Supreme Court	2(i)	7/1/24
30	Washington	Steven “J.T.”		Representative	At Large Representative/S	2(i)	7/1/23
31	Wendlberger	Michael		Pro Bono Project Dir.	LACSN/S	2(e)	7/1/23
32	Wetherall	Peter		Executive Director	Nevada Legal Services/S	2(e)	7/1/24
33	Young	Nathan Tod	Hon.	District Court Judge	9 th JDC, Douglas County/N	2(i)	7/1/23
34	Zimmerman	Tara		Executive Director	Northern Nevada Legal Aid/N	2(e)	7/1/25



Britney Spears' conservatorship dispute brought the guardianship system to the public eye. It's a system that entraps thousands more Americans without a platform to fight back. *Illustration: Jonathan Hurtarte/Bloomberg Law. Photographer: Minesh Bacrania/Bloomberg*

Guardians' Dark Side: Lax Rules Open the Vulnerable to Abuse

The US adult guardianship industry is regulated loosely and ripe for exploitation of elderly and disabled people, Bloomberg Law found in a six-month investigation. Here is Part 1: The Profiteers.

By Ronnie Greene and Holly Barker*March 6, 2023, 5:00 a.m.*[Listen](#)

SANTA FE, N.M. – Lorraine Mendiola was desperate to help her adult son, an aspiring electrical engineer battling mental health demons that sent him spiraling through psychiatric hospitals. So in 2011, heeding advice from a psychiatrist, she sought to become his guardian.

When Mendiola got to court, her lawyer told her a private company, Ayudando Guardians, could oversee Matthew Mendiola's well-being and finances. Mendiola was shocked. She had never heard of the group. But her attorney persuaded her it could handle the guardianship's complexities, and "you can just be the mom."

Mendiola's shock spun to outrage after a judge assigned the company as Matthew's guardian. Ayudando Guardians put her son in a boarding home where he was beaten in the face and swarmed by bedbugs. Later it placed him in Albuquerque, N.M., where Mendiola found her son living in an incomplete garage with exposed wiring, no shower, and no fire escape. In five years he went through four case managers and seven boarding homes.

For years, Mendiola protested Ayudando Guardians' treatment of her son and its handling of his finances. Everywhere she went, from the company to a state guardianship office that paid Ayudando \$7 million over a decade, doors slammed. In 2016, Santa Fe District Court Judge Sarah Singleton even ordered her to stop "the constant communications to the Guardian and Office of Guardianship."

Mendiola compared fighting Ayudando, the state, and courts to battling organized crime. "I likened our situation to a guardianship cartel," she said. "It feels like a Mafioso situation."

A year later a [Department of Justice investigation](#) unmasked Ayudando as a fraudulent house of cards. The case secured lengthy prison sentences for the company's directors, who stole nearly \$12 million from 1,000 vulnerable clients to fuel lavish lifestyles filled with international cruises, Mercedes-Benzes,

gate-protected homes, and \$300,000 worth of skyboxes at college basketball games. As Ayudando's executives globe-trotted, some of their disabled and needy clients were left homeless.

Ayudando's collapse reveals the dark world of adult guardianships in the US. Judges, lawyers, and state officials ignored warning signs about a company the system long held in high esteem.



Lorraine Mendiola's son Matthew spent years under guardianship of Ayudando Guardians.

Photographer: Minesh Bacrania/Bloomberg



Nationwide, guardianships are often dogged by ripe greed, scant scrutiny, scattershot rules, and flimsy protections for the vulnerable people put under court-ordered control.

A Bloomberg Law investigation found a national network in peril:

- Judges and other officials in some states don't have to have law degrees before issuing adult guardianship orders. In Georgia, a former Realtor turned probate judge improperly revoked a young adult's right to vote without first holding a hearing and restricted her rights on everything from driving to spending money. When the woman's mother challenged the system, the judge threatened to throw her in jail.
- Just 14 states certify guardians, and no national standards limit the caseloads they can juggle. In Indiana, one professional guardian has taken at least 420 clients since 2016, most referred by nursing homes. Experts say that signals a system lacking meaningful controls.
- Regardless of the size of the person's bank account, guardianships can generate substantial fees amid long-running court battles. In New York, lawyers serving as guardians and counsel for famed artist Peter Max each bill hundreds of thousands of dollars a year, with one charging \$550 an hour. The more they tangle with Max's family for control of his priceless art, the more they seek in fees.
- The system needs more oversight. More than 1.3 million abuse claims are filed each year with local Adult Protective Services offices, but no one is counting how many involve guardians. Few states require independent attorneys to represent people facing guardianship.

Nationwide, experts estimate there are 1.5 million active adult guardianship and conservatorship cases. It's big business, with guardians managing an estimated \$50 billion-plus in assets for those under their control. The system came to public attention amid pop star Britney Spears' fight to escape her arrangement, but more frequently entraps thousands of Americans without the means or platform to fight back.

"The insiders have no interest in optimizing this system. They love its dysfunction because in this dysfunction they make millions or billions of dollars," said Rick Black, a former corporate executive who has become a full-time guardian reformer after helping expose abuse against his father-in-law in Nevada.

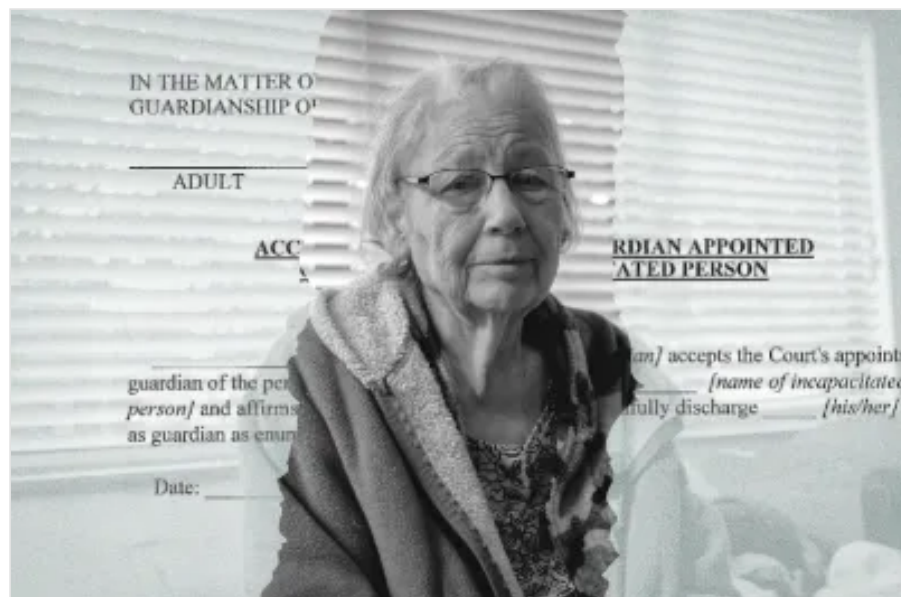
"The system is a profit center. It is not benevolent. It is not altruistic."

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A Solution

Few Rights, Controls

In the best sense, guardianships are intended to help adults in need, from young adults battling disabilities or mental health crises to older adults whose minds and bodies are faltering. Family members often step in and serve as legally appointed guardians, watching over the finances and health care for their loved ones.

Yet when a family member is unwilling or unable to step in, or when there is no surviving kin, a professional or lawyer often takes the role.

People are rendered to a state of non-personhood, in the name of protection.

Morgan Whitlatch, Center for Public Representation

Adults can find themselves with fewer rights than convicted felons, industry experts say, echoing a piercing quote from the late Florida Congressman Claude Pepper as he pushed for tighter standards in the late 1980s. Bloomberg Law's examination reveals that assessment to be on point. Adults under guardianship often need permission to marry, to go to the store, to visit friends, to have their own debit cards or use their money for anything from fixing the roof to buying video games.

"People are rendered to a state of non-personhood, in the name of protection," said lawyer Morgan Whitlatch, a director with the Center for Public Representation public interest law firm.

Whitlatch and others immersed in the system say guardianships should be a last resort and that many are simply too restrictive. Suddenly, with a judge's order, the so-called "protected person" has lost many rights.

"That can be a person's right to make medical decisions, financial decisions, where they want to live, who they want to marry, driving a car," said Kayla Puga, senior team attorney with Disability Rights

Texas.

One of her clients, Ruby Campos, was placed under guardianship after growing up in the foster care system. "I felt I wasn't living my own life," said Campos, recalling how she was denied requests to visit relatives or have her own debit card. "What about my opinion? Does it matter?"

Campos successfully petitioned in 2022 for the courts to terminate her guardianship, after she'd spent more than a decade in the system. "I actually felt like a new person," she said. "Like I finally could live my life like I have always wanted to."

In Indiana, Nicholas Clouse was placed under guardianship with his mother and stepfather after a 2012 car accident left him with a traumatic brain injury one month shy of his 19th birthday.

Though he'd recovered by 2016, and went on to marry, have a child, and maintain full-time work as a welder and then HVAC technician, Clouse still needed approval for purchases.

"I thought I would have a lot more freedom than I did. I had to ask for permission to really go anywhere or do anything," Clouse said. "My stepdad would limit how much money I could even spend on my daughter for formula and diapers."



Nicholas Clouse spent nine years under guardianship after a traumatic brain injury.

Photographer: Jim Vondruska/Bloomberg

A final straw, he said, was when he couldn't choose his own new or used car after his SUV's engine failed. Suddenly, he was driving a 2020 Ford Fusion.

Working with Justin Schrock, a lawyer with [Indiana Disability Rights](#), Clouse won court approval to end the guardianship in 2021, nine years after it began. One of his first acts: Selling the Ford. "It made me very angry even just to look at the car."

Kristin Steckbeck, the former lawyer for Clouse's guardians, said she couldn't comment on his case. Ultimately, the parents supported ending the guardianship.

Schrock said Clouse's case shows how guardianships can far outlive their usefulness. "If someone like Nick can remain under guardianship, a full guardianship at that, for several years beyond the time it was necessary, who isn't at risk of potentially being placed under guardianship?"

Probate courts, he said, provide little legal protection for people facing guardianships and even less oversight once the process begins. In Indiana, guardians must file biennial reports summarizing their case but, Schrock said, those typically provide little meaningful information.

"The level of scrutiny that is applied to these filings is extremely low," he said.



Lawyer Justin Schrock won court approval to end Nicholas Clouse's guardianship.

Photographer: Jim Vondruska/Bloomberg

Oversight is essential to ensure the industry's focus doesn't stray from those it is supposed to protect, said Anthony Palmieri, former president of the National Guardianship Association.

"A guardianship is supposed to be a benevolent act to protect someone when all else has failed," Palmieri said. "It's not supposed to be a business."

High Living

With Ayudando, the truth didn't fully emerge for more than a decade.

In 2004, Susan Harris, a onetime nurse and daughter of a World War II veteran, formed Ayudando Guardians, and would serve as its president, CEO, and 95% owner. Based in Albuquerque, it became a nonprofit corporation providing guardianship, conservatorship, and financial management to adults needing help managing their affairs. Ayudando received payments on behalf of its clients, oftentimes from the Department of Veterans Affairs and Social Security Administration, and was supposed to put that money toward their living expenses.

Ayudando landed its first state contract with the Office of Guardianship at New Mexico's Developmental Disabilities Planning Council for fiscal year 2006. Those contracts continued, typically for around \$650,000 or \$750,000 a year. Under its state pact, Ayudando was paid about \$325 per month for each client it supervised, including veterans and adults with disabilities and mental illness. Its state contracts totaled \$7 million by the time the feds shuttered the business in 2017. Ayudando also had private clients, typically with greater financial means, which it charged \$950 a month.

Winning the state contract was "everything" for a company new to the world of guardianships, said former Ayudando Chief Financial Officer Sharon Moore, who is serving a 20-year sentence in a federal prison camp in Texas.

"That's where our biggest clientele was going to come from," she said in a phone interview from prison.

She admitted to Bloomberg Law that she fabricated records.

"I have to pay for the part I did, I know," Moore said.

Read More: In her first interviews over the scandal, Sharon Moore says Ayudando's original mission was to help clients, but greed eventually set in.

Ayudando's fraud began in November 2006 and lasted until the feds swooped in 11 years later, according to the Justice Department. In that time, Harris, CFO Moore, and Harris' husband and son, both company guardians and directors, diverted nearly \$12 million of client money.

They easily fooled the VA and state Office of Guardianship, federal authorities found. Moore submitted fraudulent statements to the VA showing thousands of dollars in their clients' accounts when many, in fact, were nearly empty or overdrawn. When the VA required bank statements, Moore created phony ones-and photocopied a banker's signature to give the documents an air of authenticity.

To keep expanding its client list, Harris submitted fraudulent proposals to the New Mexico Office of Guardianship, court records show. The state contract spigot continued. Ayudando had 166 clients under its New Mexico contract when its fraud was exposed, making it one of the state's largest guardianship vendors.

Publicly, the company maintained an image as a community pillar, becoming a funding partner in 2011 for a project run by the University of New Mexico's Health Sciences Center and later giving at least \$80,000 to the university's foundation.

In 2013, Ayudando Guardians was part of a legislative working group in New Mexico examining elder and disability rights issues.



The system is a profit center. It is not benevolent. It is not altruistic.

 Rick Black, guardian reformer

The Harrises did little to hide their lavish living.

In 2013, Susan Harris bankrolled a luxury box at the University of New Mexico basketball arena, an extravagance that lasted until the company's fall. Federal probation officials say the defendants spent more than \$300,000 on the "party suite," running up catering tabs as high as \$5,000 a night. Harris became the arena's second-largest customer by dollar amount and its largest food buyer—paid from stolen funds, court records show.

In response to a Freedom of Information Act request seeking guest lists for the suite, the university said it had no relevant records. UNM spokeswoman Cinnamon Blair did not return three calls seeking comment about Ayudando.

Then there were the cruises and far-flung journeys. Clients, including veterans battling post-traumatic stress, bankrolled those, too.

Four of their luxury cruises and a couple of family vacations between 2013 and 2017 totaled more than \$108,000. There was a \$50,950 check to Mercedes-Benz of Albuquerque and homes in gated communities.

Moore said founder Susan Harris lost sight of the company's mission.

"I think she just got greedy."

Victims Bereft

Some victims said the contrast was clear between their struggles and the company's high-flying ways. At least 60 clients filed statements with the court describing the financial harm and personal trauma suffered at the company's hands.

One, Emily Montaña, said she turned to Ayudando on her lawyer's suggestion after winning a \$93,000 settlement from a car accident that left her severely injured.

When she called Sharon Moore, "she said she was too busy to provide me a balance that was accurate," Montaña told the federal judge. So, Montaña showed up at the company's office.

"I remember you as flamboyant," she said during Susan Harris' sentencing. "Boy, you would walk in there like you owned the whole world with your hair done up ... while you were having banquet food being brought in." Meanwhile, clients outside their office would be begging for money. "And you guys are all dressed up like you have no problems in the world."

In December 2017, Montaña's daughter died at 25. After Ayudando drained her account, she said in court, she couldn't afford a proper burial.

Another victim told the court Ayudando stole \$17,400 from her account, leaving her just \$40. She was forced to live on Albuquerque's streets for months. One man said after Ayudando stole his money, he couldn't pay rent and electricity and was homeless for a year. Another, a mother with a 2-month-old at the time, fell into addiction and homelessness.

Seeking Answers

And then there's Lorraine Mendiola's quest for answers. She said her son can be "oppositional" and over the years has fluctuated between wanting his parents to be his guardian and then not. "It's been a rollercoaster," she said.



Lorraine Mendiola was told by her attorney that Ayudando Guardians could handle her son's guardianship, and "you can just be the mom."

Photographer: Minesh Bacrania/Bloomberg

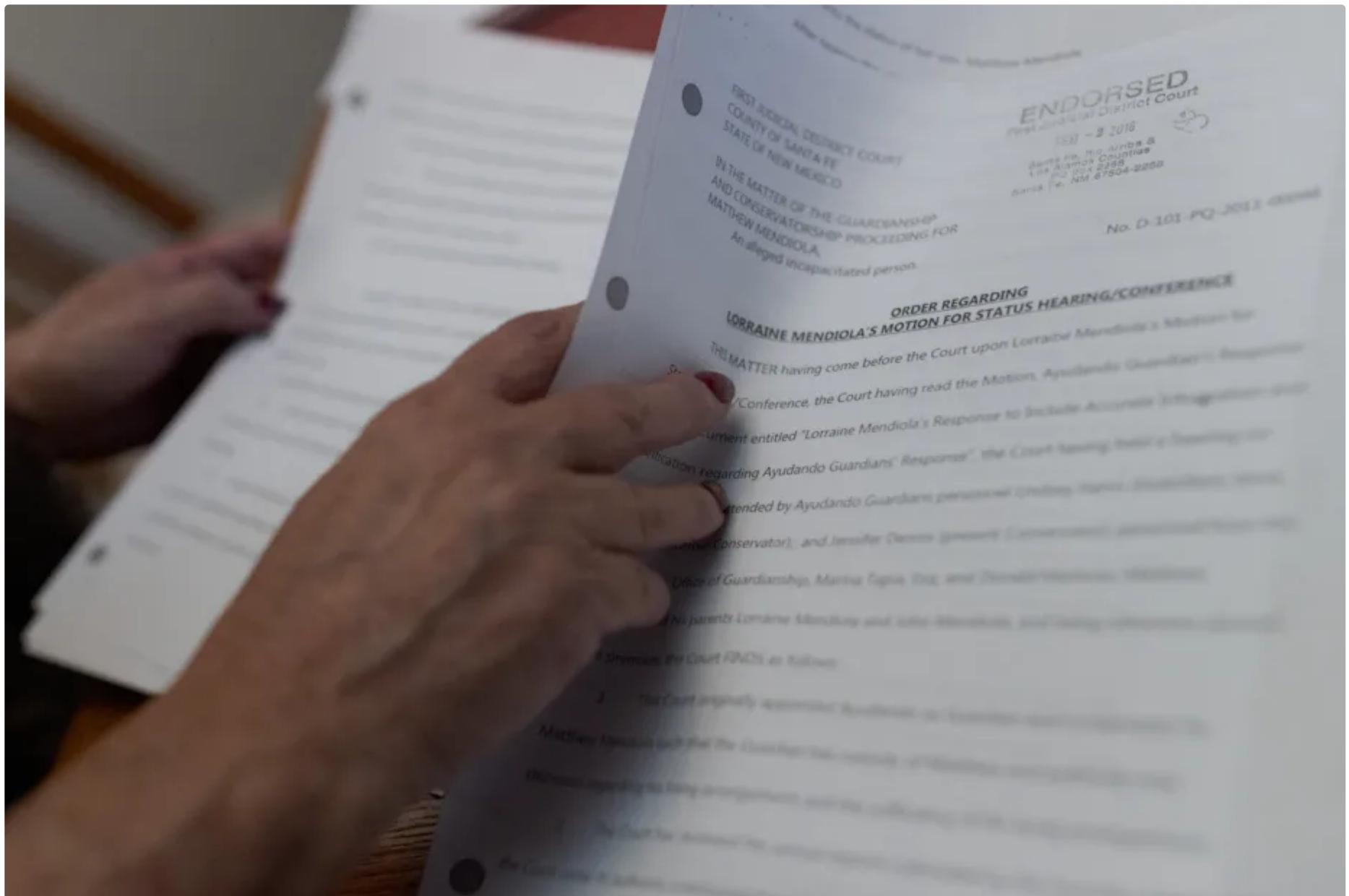
On Nov. 12, 2014, Mendiola wrote John Block III, then executive director of the state guardianship office, concerned about her son being returned to the boarding home where he had been punched in the face and offered heroin. She said no drug counseling was provided and asked, not for the first time, for her son's financial records. She never got them.

A state office attorney sent Susan Harris a letter sharing the mother's unaddressed concerns. The state rebuked Harris, saying the assault and bedbug incidents showed Ayudando failed to ensure Mendiola's son was "treated humanely." It directed Ayudando to develop a correction plan. Mendiola continued to press but got nowhere.

Behind the scenes, Ayudando attorney Corbin Hildebrandt was portraying Mendiola as an alarmist.

"I think we are headed for a hearing someday with Judge Singleton and we have to stay civil with [the] mother so that she can hang herself with overreacting," he wrote in a Dec. 1, 2014, email that landed in Mendiola's inbox, likely by mistake.

Hildebrandt had earlier helped facilitate a settlement agreement with the company's accountant, who wrote that executives treated Ayudando's accounts "like a personal ATM." Harris paid the accountant a fee settlement in return for his silence.



Lorraine Mendiola shows papers in her home.

Photographer: Minesh Bacrania/Bloomberg

Hildebrandt did not return three calls or an email seeking comment. The lawyer who initially suggested Mendiola use Ayudando, Jeanine Steffy, did not answer two calls or an email. Singleton died in 2019 after a battle with cancer.

Ultimately Singleton sided with Hildebrandt and said the nonprofit no longer needed to file monthly conservator reports about the case, only annual reports.

I guess I was an idealist. I thought the judge was going to listen to me and weigh the evidence and be fair.

Lorraine Mendiola

Separately, the state guardianship office had relaxed its oversight of Ayudando Guardians, removing a contract provision that required monitoring of client financial information, according to a whistleblower lawsuit filed by former office legal counsel Marina Tapia Cansino.

In January 2017, Cansino sent Mendiola a cease-and-desist letter, citing Singleton's order that she stop her "constant communications." From now on Mendiola should only contact her. "If you persist," she wrote, "I will request an injunction and award of sanctions."

Now in private practice, Cansino said her letter was a just response to what she called "a barrage of harassment."

Two days after her letter, a state guardian official asked Ayudando to share "success stories" the state could cite as evidence of its good work, according to an email Bloomberg Law obtained through a public records request. In May 2017, with the DOJ investigation two months from coming to light, Ayudando's CFO was testifying before a state Supreme Court commission on guardianship reform.

That June, the state approved a fresh contract with Ayudando for \$651,700. A month later the FBI and other agents made arrests, and the scandal became big local news.

Block said in a recent interview that he was “shocked” by the fraud and said the state could have done more audits of those under guardianship. But he said the courts also share blame. “A lot of the monitoring of the guardianship is supposed to be done with the judges,” Block said. “And I don’t know if the courts really kept ahead of that.”

Mendiola felt the scales of justice weighted against her. “I guess I was an idealist,” she said from her Santa Fe home. “I thought the judge was going to listen to me and weigh the evidence and be fair.”

Her travails are “the norm” in guardianship cases, with families outgunned by lawyers and their big-pocket clients, said guardian reformer Black, executive director of the Center for Estate Administration Reform. “Those systems are so incestuous and have so many attorneys that benefit by making sure they get what they want.”

Judgment Days

There were two judgment days for Susan Harris and her husband, William Harris, Sharon Moore, and Craig Young, Susan’s son.

Two, because the Harrises had fled to Oklahoma before the first sentencing in 2020, using the aliases Marvin and Cheryl Valdez, with William landing work at a grocery store. The Western Oklahoma Metro Fugitive Task Force found them a month later thanks in part to their Chihuahua, and they were sentenced in 2021.

The defendants pleaded guilty to crimes covering 2010-2017: Susan Harris to conspiracy, mail fraud, aggravated identity theft, and money laundering charges, and William Harris to conspiracy and money laundering. He admitted he knew Moore was siphoning VA and Social Security money and using it to enrich others, including himself.

Young pleaded guilty to conspiracy and money laundering charges. Moore, the company's 5% owner and day-to-day manager, pleaded guilty to conspiracy, mail fraud, aggravated identity theft, and money laundering.

Young received the shortest sentence at just under six years, Susan Harris the longest at 47 years.



Susan Harris



William Harris

Photos: US Attorney's Office for the District of New Mexico

"Mrs. Harris, I'm almost without words. What you have done is just astounding to me," US District Court Judge Martha A. Vázquez said at sentencing. "And what you should have said to all of these good people that trusted you, was you should have said to them, 'I am so sorry that I stole your money. I am

so sorry that I took your children's money, because I knew I could get away with it because they were so sick and they would never know.”

In court, prosecutor Jeremy Peña described Harris as “the architect of this hideous scheme,” and her husband “the picture of moral cowardice.”

Peña told Bloomberg Law the crime was particularly egregious because the company seized on vulnerable veterans.

“It just was unthinkable that an entire organization that performed such a significant role in the community could be at the same time extracting so much money from its clients,” Peña said.

New Day in New Mexico?

The state developmental disabilities council is now headed by a former disability rights lawyer, Alice Liu McCoy, who had been representing people put under guardianship. She said she’s on a mission to revamp the agency’s culture.



Alice Liu McCoy wants to revamp the culture of the New Mexico Developmental Disabilities Council.

Photographer: Adria Malcolm/Bloomberg

"There wasn't a whole lot of oversight being done by the agency," McCoy, who became executive director in 2019, said in an interview in Albuquerque. "Leaders of the agency believed their role was to put the guardianship in place and then step away."

She is committed to thorough vetting of companies seeking to become guardians under state contract, and to adding more layers of punishment should they stray. She wants more screening, more audits, and a mandate to view guardianship as a last resort, not the first.

"We are now a trusted resource," McCoy said. "Before there was a real question of whether the Office of Guardianship was run in the way to help a protected person."

Mendiola supports some of McCoy's ideas. She said Ayudando Guardians' abuse of power and disregard for its clients' well-being had affected her son Matthew, now 41. She said he wouldn't want to discuss his experience, fearing it would resurrect the trauma.

"He changed," she said. "He was hopeful. Before he had a goal or a vision of doing something with his life. They took away his dignity, his hopes, his dreams."

From Prison, Nonprofit Director Rues Greed Ruining Guardianships

By Holly Barker and Ronnie Greene

When Susan Harris formed Ayudando Guardians in 2004, neither she nor company Chief Financial Officer Sharon Moore had any experience in the world of adult guardianships.

"Neither of us knew what guardianship was or did," Moore said in a phone interview from the Federal Prison Camp at Bryan, Texas, a minimum security facility for women between Houston and Waco.

The two had worked together at a nursing home, where Harris was a nurse and Moore's background was in medical records. So when Harris suggested they start their own business, Moore agreed. "I'm sure we can learn," she remembered thinking. "We learned fast."

And when Harris started talking about who would handle the finances, Moore said she was taken aback.

"Who is going to do it?" Moore asked. "You," she said Harris told her.

"I didn't know anything about accounting," Moore told Bloomberg Law. "But again, we'll figure it out."

A year after its founding, Ayudando Guardians landed a coveted contract with the Office of Guardianship at New Mexico's Developmental Disabilities Planning Council. Moore said the contract expanded Ayudando's client roster and provided a jolt of credibility for the fledgling company.

Ayudando began pilfering client accounts by 2006, in a fraud that would last more than a decade and encompass nearly \$12 million in ill-gotten gains, a Department of Justice investigation found.

Granting a series of interviews for the first time over the scandal, Moore acknowledged to Bloomberg Law that she falsified documents. "Yes, I did," she said. "I didn't like it. Don't ask me why I did it. I guess I just wasn't thinking."

Moore pleaded guilty in federal court to conspiracy, mail fraud, aggravated identity theft, and money laundering charges. The Justice Department said she doctored reports to hide the company's fraud from the Department of Veterans Affairs, for instance.

Moore said Harris misused American Express cards for herself, family members, and company employees. Moore benefited too, but said Harris had her credit card number and likely billed extravagances to her account. "I still think she used my card," Moore said. Harris didn't respond to an interview request.

Their scheme escaped the scrutiny of a flurry of auditors, from the state Office of Guardianship to the VA – until the Justice Department dug in.

Moore said she considered quitting several times and, before the fraud was exposed by federal authorities, once went to the Harris' house to say Ayudando needed to curtail spending. Instead, she said, William Harris, Susan's husband and a company director, said they needed to sign on more clients.

Moore never did quit.

"I should have not gone back to that office and went to get a lawyer," she wrote in a follow up note. "But I guess I was scared and afraid they would sabotage me."

She has unsuccessfully challenged her 20-year sentence, contending she was misinformed by her counsel about the potential prison term; her argument was denied on appeal. She admitted to committing crimes but believes her punishment was too grave.

Her voice breaking over the phone line, the 67-year-old added, "My sentence is awfully long."

Moore is limited to 10-minute calls from prison. As the clock ticked down on the first of several interviews, Bloomberg Law asked her how and why the company veered so far from its mission.

"I think greed," she said.

After the call ended, Moore followed up with an email to say Ayudando's greed didn't start right away. "In the beginning we were trying to take care of clients," she wrote. In the latter years, she admitted, "then it became greed."

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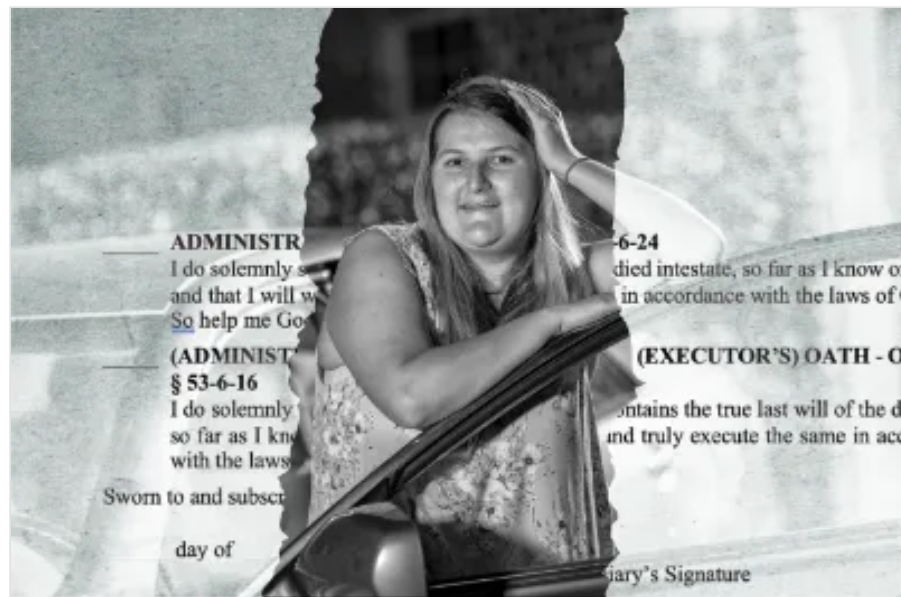
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A Solution





US Law Week
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Judge's Errors, Jail Threats Haunt Georgia Family's Guardianship

By Ronnie Greene

Deep Dive

In the Name of Protection: Part 2: The Judges

Judges approve petitions and provide oversight in adult guardianship cases. But what happens when their rulings are faulty? A Georgia family's guardianship case shows what can occur when judicial rulings collide with a family's intentions.

GUYTON, Ga. – In the three years Kalei Bulwinkle was under guardianship, the local judge improperly revoked her right to vote, erected hurdles on her ability to drive, barred her from having a debit card or writing checks, and banned her from spending over \$500 without judicial consent.

As Kalei's mom Victoria Vermillion challenged the rulings and hired a lawyer to extract her daughter from the system, the judge put the mother in contempt of court and threatened her with jail time.

The probate case of Kalei Hope Bulwinkle bears all the hallmarks of a guardianship calamity, with a family initiating the process with the best intentions only to confront a world of restricted rights and deep trauma. But the saga that unfolded in this small city 30 miles from Savannah includes another wrinkle: The probate judge deciding Bulwinkle's fate had taken the bench without a law degree, and then proceeded to issue a series of rulings that would be invalidated only after the family fought them.

At least six states permit probate judges and other public officials who aren't lawyers to issue adult guardianship orders. Georgia is among them, allowing such judges in any county of 90,000 or fewer people to take the bench without a law degree. Effingham County, home to Guyton and population 66,741, qualifies.

The county's probate judge, Beth Rahn Mosley, is a former real estate agent and department store buyer who sought the post after serving as guardian for her brother-in-law. She campaigned door to door in 2008 to first win election. In an interview from her office at the county courthouse, Mosley said she thoroughly researches cases and uses common sense to reach just outcomes.

Though she discussed her path to the bench with Bloomberg Law, Mosley said she would not address Bulwinkle's case or answer questions about it. "I refuse to talk anything about that," she said.

The family, by contrast, said it was important to discuss its journey through the system.

"We want to educate people," said Vermillion, a special education high school teacher. "We don't want anyone else to go through what Kalei went through. ... It's a complete nightmare."

Bulwinkle said she felt invisible in the process.

"I felt like the judge wasn't treating me like a human being. She wouldn't ever talk to me or acknowledge me," Bulwinkle said. "I didn't like that she was trying to take everything away from me."



Kalei Bulwinkle's rights to vote and spend money were improperly restricted when she was under guardianship.

Photographer: Stephen Morton/Bloomberg

Judges play central roles in guardianship cases. And a Bloomberg Law six-month examination found that judicial oversight can exacerbate an already fraught system, with judges providing scant oversight – or, as in the Georgia case, issuing orders that improperly restrict the already limited rights of adults under their watch. The case also shows how difficult it is to escape from a guardianship.

In the US justice system, guardianships get short shrift, Bloomberg Law found. No government agency tallies how many guardians abuse those they are supposed to protect. No firm data exist on the precise number of guardianships, and experts can only estimate the billions at stake in such cases. It's the same system that pop star Britney Spears fought to escape.

"The everyday person, when they think of a guardian, they think oh, there's a court overseeing that person; isn't that a check or balance? Oversight of guardianships by courts are very uneven," said Morgan Whitlatch, a director with the Center for Public Representation public interest law firm. "We collect data about things we care about. And when someone has their rights removed, we should care about that."



Helping Kalei

Bulwinkle, now 22, is an amiable woman with Asperger's syndrome, a high-functioning condition on the autism spectrum that can affect a person's ability to communicate, particularly in social settings.

"When Kalei was in high school, Kalei was very generous to friends and they manipulated her," Vermillion said. Once, she recalled, Bulwinkle gave another girl \$5 to be her friend. "Kalei would just be generous, and as an adult I thought she'd be taken advantage of."

Vermillion's mother, a former probate court clerk, one day suggested she look into a limited guardianship for Bulwinkle. Vermillion thought it over and, after Bulwinkle turned 18 in 2018, petitioned to become her daughter's guardian.

"I wanted my daughter to be able to contribute to society," Vermillion said from the family's home. "I wanted her to be a self-sustaining adult. I was trying to teach her how to balance my checkbook."



Victoria Vermillion said she petitioned for her daughter's guardianship with the best of intentions. "As an adult I thought she'd be taken advantage of."

Photographer: Stephen Morton/Bloomberg

On Oct. 25, 2018, Judge Mosley formally approved the petition. Under her probate order, portions of which were typical for cases in Georgia, she ruled that Bulwinkle could no longer make her own decisions to marry, enter into contracts, consent to medical treatment, or buy or sell property.

Vermillion soon realized she had made a mistake. Her daughter passed her driving test, graduated from high school, began classes at a local technical college, and showed confidence in making banking and medical decisions. In November 2019, Vermillion petitioned to restore her daughter's rights, writing a letter to Mosley describing Bulwinkle's growth as a young adult. Vermillion included an affidavit from her daughter's doctor, who endorsed her petition.

"Kalei is my heart and soul, and I truly am so proud of her. Never in my life would I allow anyone or anything to hurt her, but I will always want what is best for her," Vermillion wrote the judge. "I do feel that we acted prematurely by putting so many restraints on her."

The legal restraints were just beginning.

Errors in Court

On Feb. 24, 2020, Mosley held a hearing on the petition that resolved nothing. The session had to be postponed because the judge hadn't appointed Bulwinkle a lawyer or guardian ad litem. Nor had she provided the family with an evaluation report before the hearing, as required.

And the evaluator's report she read in court contained errors, claiming Bulwinkle graduated with a "special education" diploma when she had actually received a standard diploma.

By March, Vermillion had hired a lawyer to help her navigate the case: Julie Kegley, senior staff attorney with the [Georgia Advocacy Office](#). The independent agency represented Bulwinkle at no cost.

Vermillion sent an email to the probate court saying so, adding that she intended to withdraw her initial petition to end the guardianship so her daughter could file her own, with Kegley's assistance. "After speaking with Kalei's attorney this afternoon, it was suggested for us to start fresh," Vermillion wrote March 9, 2020.

A month later, Mosley shot down their plan. Bulwinkle couldn't repetition to end the guardianship until Nov. 15, 2021 – two years after her mother's initial petition.

In her April 2020 ruling, Mosley cited a state law that requires a two-year wait between petitions for termination of guardianship if a judge denied the previous petition.

The family was stunned. Vermillion's petition hadn't been denied "on the merits," as the judge wrote; it had been postponed after errors in the process. Yet here was the judge saying no action could come for another 19 months.

And Mosley added another twist: She found Vermillion in contempt of court and ordered her to pay a \$50 fine within 10 days. The reason: Mosley said her office told Vermillion she had to meet with a guardian ad litem the judge picked to assist in the case before the petition could be dismissed.

Once more, the family was taken aback. Vermillion said she never received an official notice saying a guardian ad litem had been appointed. Kegley urged Mosley to revoke the contempt order. "Because Mrs. Vermillion withdrew her Petition for Restoration, there was no longer a need for a Guardian Ad Litem," Kegley wrote.

Mosley was unswayed.

On May 13, she affirmed her April order saying a new petition couldn't come until November 2021. "Kalei Bulwinkle remains an incapacitated adult," she wrote.

And, she affirmed her contempt order. "\$50.00 is to be paid to this court by Friday May 22, 2020," her order said. "\$2.00/day will be charged until paid or she will face [jail time](#)."

When Vermillion read those words, she was "petrified."

"Can she really do this to me?" she asked herself. "I was thinking of going to jail. The consequences of being strip-searched and all that."

The mother had long been her daughter's rock. Now, the roles were reversed.

"I would come home sometime, and my mom would be in her room crying," Bulwinkle said.

Bloomberg Law asked legal professionals to analyze topics including the role guardianship plays in states and what reforms would serve vulnerable populations.

More Surprises

In Oct. 2020, Vermillion sent an annual report to the court showing that Bulwinkle was writing her own checks, including some over \$500 for her car insurance and college tuition.

A week later, on October 26, Mosley told Vermillion she would hold another hearing to see whether she should once again be held in contempt or even be removed as conservator. The reason, this time: Mosley was saying Bulwinkle couldn't spend more than \$500 at a time without court approval, nor could she write checks.

But those assertions, the family proved, were wrong. The judge's initial order approving the guardianship never included wording about a \$500 spending limit or the inability to write checks. When Vermillion had first become her daughter's guardian, the judge gave her a handbook and video about the process. Neither, Vermillion said, cited such limits.

And then at a hearing that December 2020, the family learned that Bulwinkle's right to vote had been revoked in October 2018, at the dawn of the guardianship. Mosley hadn't held a hearing on the issue or listed the rejected voting rights in her initial guardianship order. In this 2020 hearing, for the first time, Mosley handed them a paper showing Bulwinkle could not legally vote.

“

Kalei, I'm so sorry I did this to you. I felt like I ruined my child's life.”

—

Victoria Vermillion

Bloomberg Law

Mosley declined to discuss Bulwinkle's case but in an interview said the lack of a law degree doesn't inhibit her ability to rule. Supporters of systems like Georgia's say judges in small communities can provide sound legal rulings benefiting the public, whether they have law degrees or not.

"We have probate counsel and we have a Listserv. We still look up the law," Mosley said, pointing to law books on her shelf. "If I don't know the answer, I'm going to call an attorney not involved in the case. I'm not going to wing it."

On Dec. 30, 2020, Mosley issued another contempt order against Vermillion and fined her \$250. "No reason for the contempt finding was listed," Vermillion said in a court affidavit, citing the judge's order.

The judge also ruled that Bulwinkle would need a neurologist's permission slip to continue driving – even though she'd passed her driving test and had no accidents or tickets, the family said.

And then on Jan. 8, 2021, Mosley emailed Vermillion that she was to close her joint checking account with her daughter and open a new account "that reads exactly Victoria Vermillion Guardian/Conservator for Kalei Bulwinkle. Kalei cannot write checks or pay her bills or have a debit card.

"If this is not done by Wednesday, January 13, 2021 by 5:00 p.m., then she will be forever removed from any part of this Guardianship/Conservatorship," she wrote, referring to Vermillion.

The restrictions and directives were taking a toll.

"I did not know that every little dime, every little penny, every little decision would be nitpicked," Vermillion said. "I took the brunt of the stress. There were days I had to get medicated by my doctor."

Her husband, Rick Vermillion, Kalei's stepfather since she was 10, said that with each new order, the family dug in even more to extricate itself from the guardianship. "I was ready to spend my life savings to get this overturned," he said.

On the first day of March 2021, Kegley appealed to the Effingham County Superior Court to overturn Mosley's orders.

Then the family waited.

Judicial Slam Dunk

On April 28, 2021, Superior Court Judge Lovett Bennett Jr. issued a 10-page ruling that struck down each of Mosley's crucial orders.

"The Effingham County Probate Court's improper additions of greater restrictions to Kalei Bulwinkle's rights are reversed," wrote the judge, who did not reply to interview requests.

Bulwinkle no longer had to wait until November 2021 to refile a petition to end the guardianship. Bennett reversed Mosley's restrictions on her ability to drive and ordered that Bulwinkle could regain her right to vote and handle her own money.

The judge also cleared Vermillion of any wrongdoing. "There is no evidence or finding that there has been a breach of the fiduciary relationship between the guardian and Kalei and as such, these restrictions have no legal basis," he wrote.

It was a slam dunk victory. When the family read the order, they couldn't believe that, two-and-a-half years after the guardianship began, a judicial ruling had gone their way. "I just kept thinking of all the craziness we went through," Vermillion said.

Three months later, Mosley vacated her \$50 contempt fine against Vermillion and wrote her a refund from the Probate Court account. She also vacated the second contempt fine and admitted her ruling limiting Bulwinkle's spending ability hadn't been included in her initial guardianship order.

Mosley terminated the guardianship on July 22, 2021. Bulwinkle's rights were restored.



Kalei Bulwinkle is now free from the guardianship. Her voting rights have been restored, as well as her independence.

Photographer: Stephen Morton/Bloomberg

Nonlawyer Judges

Guardianship reformers question how nonlawyers could rule in such important cases. "I don't think it should ever happen," said Rick Black, executive director of the Center for Estate Administration Reform, a nonprofit pushing for more transparency in guardianship cases.

Whitlatch said there should be concern when a nonlawyer takes away someone's rights. She called it "evidence of lack of due process."

Georgia isn't alone. In North Carolina, elected clerks decide guardianship cases. In Texas, county court judges handling probate matters don't have to be lawyers. Nebraska, Alabama, and South Carolina allow nonlawyers to oversee probate cases.

Mosley said her path to the bench began with her own experience as guardian for a brother-in-law with Huntington's disease, which afflicts nerve cells in the brain. "Nobody wanted to be guardian," she said, so she took the role. One day her husband turned to her and, referring to the probate judgeship, said, "You could do this job."

Mosley decided to run after the judge announced her retirement, then reached out to political contacts. "I walked every subdivision in this county," she said. As judge, she has pushed to make probate records more accessible to the public.

Critics say guardianship cases are too restrictive. Asked about that criticism, Mosley said: "It depends on the case, it depends on the person, it depends on the guardian."

After she declined to discuss Bulwinkle's case when Bloomberg Law knocked on her office door in early November, a reporter phoned two weeks later to again seek her perspective. Mosley's office transferred the call to another court official. "She's not going to be able to talk to you," he said.

Kegley, Bulwinkle's lawyer, said this was the first case she'd handled in which a higher court overturned a probate judge's ruling. More common, she said, is for a probate judge who earlier approved of a guardianship to later terminate that order after being convinced, with new evidence, that the protected person was ready to strike out on their own.

Charting Her Course

In Guyton, Vermillion still carries regret for petitioning the court for the guardianship. She did it to help her daughter, never knowing the process would be so suffocating.

In October, during an initial interview with Bloomberg Law, Vermillion turned to her daughter.

"Kalei, I'm so sorry I did this to you," she said. "I felt like I ruined my child's life."

She said the process to begin a guardianship was so easy, almost anyone could be put under one. "I feel I could almost go there and put you under guardianship," she told the journalist.

Since Bulwinkle has been freed, Vermillion has seen her flourish.

"I'm doing a lot more stuff by myself," Bulwinkle said from the family's home. "Work interviews by myself without any help. Setting up doctor's appointments. Calling in medicines."

Last summer, she graduated from [Ogeechee Technical College](#) with an associate's degree in early childhood care and education. She got hired as a day care teacher for 2-year-olds, driving herself to and from work each day.

And in November, for the first time, Kalei Bulwinkle voted.

Click here for Part 1 of Bloomberg Law's investigation into adult guardianships.

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420 Cases, One Guardian: System Runs Amok on Just \$35 a Month

By Ronnie Greene

Deep Dive

In the Name of Protection: Part 3: The Guardians

No national standards limit the number of cases guardians can juggle. In Indiana, one guardian has represented more than 400 clients in recent years, a telling snapshot of a system lacking rigor. The guardian says she must carry that caseload to survive.

GREENWOOD, Ind. – Can a sole professional guardian handle hundreds of cases at a time? That’s happening in Indiana, where Debra Woods typically earns \$35 a month for each of the 200-plus clients under her watch.

Woods used to work for a guardianship company and set off on her own in 2010. Her caseload has ballooned since, in a state that doesn’t limit a guardian’s number of cases.

Since 2016, Woods has taken on at least 420 clients, Indiana court records show. She often represents nursing home residents, many of whom die in the ensuing months or years. In an interview in January, she confirmed her current client list exceeded 200.

Woods’ experience speaks to the absence of meaningful oversight in the guardianship industry, Bloomberg Law found in a six-month examination. The limitless caseloads and lack of rigorous vetting of guardians are cornerstones of a system in which adults lose nearly all their rights to another person, sometimes a family member, other times a professional guardian or lawyer. It’s the same system pop star [Britney Spears](#) escaped.

To be clear, Woods, 58, is breaking no rules by taking on so many clients. Indiana allows her to do so, nursing homes continue turning to her, and judges routinely approve her petitions. She is nationally certified, which she said in court filings shows her commitment to the work, though Indiana doesn’t require certification.

Woods said she must maintain that caseload to earn a good living. The reason: In Indiana, she earns \$35 a month per client, a cap in place for nursing home residents on Medicaid. If her client has financial means, she charges \$35 an hour.

"If there was a bigger guardian fee, I would be able to hire individuals who would assist with that much-needed service," Woods said. "I have to have a caseload like this to make it work."

A caseload that high is rare but not unprecedented. Legal experts say they've seen caseloads of 200 in California, Florida, and Michigan. In Indiana, one company lists a roster of 230-plus cases since 2016, though all aren't active and they are divided among two guardians.

"How can a guardian effectively carry out its obligations for 200 people?" asked Julie Kegley, senior staff attorney for the Georgia Advocacy Office. "It's a disservice to the ward."

Bloomberg Law asked a half-dozen industry veterans, including disability rights lawyers, a guardianship reformer, and American Bar Association specialist, what they consider the maximum number of cases a guardian could ably handle.

One said 20, another 25, and a third 30. A fourth said anything over 10 cases at a time "would raise some flags." None had a cap anywhere near 200.

"We probably don't have a real great system for professional guardians in Indiana," said Kevin Barton, a Johnson County Superior Court judge who questioned Woods' handling of one case. "Professional guardians don't have to be licensed. There really is no training qualification for them."

He adds, "How much time can you really spend effectively for pay of \$35 a month?"

Even at that miniscule monthly rate, a guardian with huge caseloads could make a decent living. A guardian with, say, 215 active cases at \$35 a month would earn \$90,300 a year; more if the guardian also billed some clients at a higher hourly rate.



How can a guardian effectively carry out its obligations for 200 people? It's a disservice to the ward."

**Julie Kegley,
Georgia Advocacy Office**

Bloomberg Law

In Indiana, a guardian's duties include being responsible for an incapacitated person's care, custody, and property. The guardians are to become "sufficiently acquainted" with their capabilities, limitations, and needs, state law says, and are to report to the court on their physical or mental well-being. "The guardian shall encourage self-reliance and independence of the protected person."

In recent years, Woods has served as a guardian for residents in at least 50 nursing homes in Indiana, court filings show. Many times, she'll be the guardian for several residents in one home at once. "Let's say I have five people in that building," she said in an earlier interview. "I'll go and visit everybody in that building. Or if I have a care plan over the phone, I'll go ahead and get an update on everybody."

One Indianapolis nursing home that often turns to Woods is American Village. Another, North Woods Village, is in Kokomo, an hour north. A third, Southwood Healthcare Center, is in Terre Haute, some 75 miles west of Indianapolis. Bloomberg Law sought comment from all three on the guardianships in their nursing homes. None responded.

Nationwide, some lawyers who serve as guardians charge hundreds of dollars an hour for their services, but guardianships typically make up just a portion of their legal dockets. For Woods, it's her livelihood.

She believes the monthly pay should be \$100, but, even without that boost, said she strives to give her clients a voice and not restrict their rights.

"I treat my individuals as if they were paying \$100 a month," Woods said. "I try to do the best regardless of what the fee is and that's because I love what I do."

Her wish for higher pay is surely a long shot.

"I mean basically there's no money," Barton said. Probate courts in general are "fairly low in terms of priority because really nothing is out there where it catches the public's attention."



Problem Case

In Barton's courtroom, the case of Woods' client Patricia Persinger drew his judicial rebuke.

Woods didn't take Persinger to her cancer doctor appointments during the Covid-19 pandemic, court records show. Adult Protective Services filed a complaint, and a local prosecutor got involved.

"I was pretty disturbed with that," Barton said. "I basically blew a fuse."

Persinger is a nursing home resident at Greenwood Healthcare Center, some 30 minutes south of the Indianapolis airport. In 2020, Woods had petitioned to put Persinger under guardianship. As in other cases involving nursing home residents, she cited a doctor's report, often just one page, saying Persinger was incapacitated and needed a guardian.



Patricia Persinger eventually freed herself from the guardianship. "I didn't need it," she said.

Photographer: Jim Vondruska/Bloomberg

Persinger received a pharmacy degree from Butler University in 1962, the school confirmed, and she said she was a pharmacist by trade.

In an interview at Greenwood last fall, Persinger said she never wanted a guardian, whether it was Woods or anyone else.

"I didn't like it," Persinger said. "I didn't need it." She felt she had "no voice" in the process.

Persinger scoffed at professionals saying she couldn't handle her affairs. "I can't take care of myself. I can't take care of my bills," she said, dismissing those views. "I can be a little bold when I'm upset."

Woods said she didn't take Persinger for her cancer treatments because she refused to see the doctor. "She was adamant that she didn't need treatment," Woods said. "Just because somebody has a guardian, that doesn't mean you can make them do anything."

That explanation didn't sit well with Barton, who wrote in court papers: "It is unclear how an incapacitated person can block medical services from being provided."

Woods stepped aside in 2021 and a county senior volunteer group became Persinger's guardian. Within a week group members took her to her oncologist, where she received radiation and oral chemotherapy, court records show.

Bloomberg Law asked legal professionals to analyze topics including the role guardianship plays in states and what reforms would serve vulnerable populations.

Persinger ultimately petitioned the court to end the guardianship. She remembers the day nursing home personnel came to whisk her to the court and an in-person meeting with the judge. "We're taking you to the courthouse," she recalled. "Get ready."

Once there, she told the judge she was in the dark about the decisions affecting her. "I told him, 'I don't know about this. I don't know about that. I don't know about anything.'"

Barton granted her request and terminated the guardianship in February 2022. "She wanted to make her own decisions," he said. "Essentially we got out of the picture."

In a follow-up call this February, Persinger said she now hopes to move out on her own. "I'm out of the guardianship," she said, "and I'm still in the nursing home."



Guardian Debra Woods often represents people in nursing homes, including Greenwood Healthcare Center.

Photographer: Jim Vondruska/Bloomberg

Legal Support

Oftentimes, Woods works with the law firm [Havrilla & Nolin](#), which specializes in elder law and nursing home issues. When they collaborate, its legal fees, which run into a few thousand dollars in complex cases, are paid through clients' accounts.

"She does have a high caseload, but I've never had a situation where something has not been done or fallen through the cracks," partner Felicity Havrilla said. "I wish I could clone Debra Woods."

Woods is a "phenomenal" guardian, Havrilla said, "who always answers her phone, who always responds to email."

As Woods' caseload grew, court records show, items sometimes did slip through the cracks. Woods failed to file a required status report in one case and faced a possible contempt citation. The judge in another case said a client's final accounting was unacceptable. In a third, Woods hadn't notified all kin their relative was under guardianship.

Woods said she addressed those issues but acknowledged she must improve her report filing. And, she knows her high caseload has been a topic of courthouse conversation.

"If I start to feel overwhelmed or if I can't keep up," she said, "I will probably stop taking cases."

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Peter Max's Bare Ledgers Show Guardianships Drain Even the Rich

By Ronnie Greene and Holly Barker

Deep Dive

In the Name of Protection: Part 4: The Lawyers

From state to state, legal fees can absorb huge portions of guardianship estates and deplete the funds of adults under court control. Two cases, worlds apart in locale and logistics, lay bare the chaos of the system, Bloomberg Law found.

Peter Max, who now has dementia, made millions creating psychedelic art that for a time put him on par with Andy Warhol as a '60s cultural icon.

Sara Abbott, who has a form of autism, gets by on \$1,200 a month from Social Security disability and lives with her mother in a small house in southern Indiana.

Both are entangled in guardianships that were supposed to serve as salves but are instead mired in turmoil.

The similarities in their cases, despite deeply disparate lives, reveal the emotional and financial risks enshrouding guardianships. As Max's memory faltered and his finances fell into disarray, he purportedly consented to having neutral guardians oversee his multimillion-dollar estate to achieve peace among his feuding family members. Abbott's mother initiated a guardianship after a counselor suggested it.

Together their guardianships, which both began in 2016, highlight a simple truth found in a six-month Bloomberg Law investigation: It doesn't matter how much money people have or how carefully loved ones watch over them; guardianships can evolve into costly quagmires where tussles over fees and control deter from the case's core mission.

In New York, Max's guardians and their lawyers have billed millions amid the family's legal squabbles, suits, and countersuits. As a federal judge [recently put it](#), it's a "toxic situation."

In Indiana, Abbott is pushing to terminate her guardianship after a tense journey. Her former guardian billed 91% of her total income during one eight-month period while questioning the family's spending on everything from fixing the roof to buying a used car.

Across the US, guardianships are regulated in hodgepodge fashion, with different rules from state to state and no national requirements on who can become a guardian or how much they can earn. Adults in the system are protected by a flimsy regulatory safety net.

In any courtroom case, judicial oversight is vital to ensure legal costs don't spiral out of control, said Jerome "Joe" Studer, a Chicago attorney who specializes in legal fee issues.

Studer said he was taken aback by Bloomberg Law's findings on the fees in the two cases, particularly by the Indiana case in which the guardian billed nearly Abbott's entire income. "The ratio strikes me as outrageous," said Studer, founder of Legal Fee Analytics.



Max: Ceaseless Conflict

"Yeah, I understand," was all it took for Max, 85, to enter into a guardianship that has done nothing to resolve the family's feuds.

"You understand?" Judge Laura Visitacion-Lewis asked at the January 2016 hearing. She noted he was shaking his head to indicate he didn't have any questions. With that, Max became a "Person In Need of a Guardian," or PING, in court parlance.

Max, now in the advanced stages of Alzheimer's, wasn't formally adjudged to be incapacitated at the hearing, a ruling that could have negatively impacted the value of his art.

At the time, he was still painting and making public appearances.



Peter Max attends a 2014 event in New York City.

Photographer: Ben Gabbe/Getty Images for Gotham Magazine

His court-appointed counsel, Elizabeth Adinolfi, said he understood he needed assistance, “particularly in managing his finances,” and thought “it would be beneficial for him to have a neutral third party fulfilling that role,” court transcripts show.

The references to neutrality were a nod to the acrimony among Max’s family members over money, his art, and the family company ALP, Inc. “He loves his children very much. He loves his wife very much. And he does not want there to be any reason for the three of them to be in conflict,” Adinolfi said.

They hoped a neutral guardian could help “achieve some level of peace.”

More than six years later, conflict and litigation envelop the guardianship.

And it is costing Max a fortune.

Abbott: In the Dark

For Sara Abbott, 27, and her mother Diana Abbott, the legal morass began after a well-intentioned suggestion.

In 2016, a counselor recommended Diana put her daughter in a guardianship. She called the lawyer who handled her husband’s estate, and he agreed it made sense.



Sara Abbott wants to end her guardianship. "If I don't, I'm going to lose my mom, my house, my life."

Photographer: Jim Vondruska/Bloomberg

Diana was skeptical at first. "I said, Why do I need guardianship? I'm her mother." But with two professionals suggesting that path, she became her daughter's guardian that August.

A former stocker at a Dollar General store, Diana said she received no formal training. "I signed a paper, they pushed it through, and that was it."

She failed to file biennial reports for 2018 and 2020 documenting her daughter's financial affairs and well-being. Diana didn't know, she said, she was supposed to file them. Washington Circuit Court Judge Larry W. Medlock removed her in 2021, questioning her oversight as guardian. He appointed a local lawyer, Lisa Fleming, as interim guardian, tasking her with documenting Sara's spending and assessing her needs.

Thus began a contentious legal saga in which the temporary guardian's fees would outpace Sara's income.

Max: Fees on Fees

Max had paid about \$1.8 million to his court-appointed lawyer, guardians, and their attorneys by the end of 2020, according to documents obtained by Bloomberg Law.

And that isn't the half of it. Outstanding requests, either pending or approved, add more than \$2 million, plus, conservatively, hundreds of thousands of dollars in accruing unpaid legal fees.

The guardianship order, filed in December 2016, revoked Max's powers of attorney and health-care proxies, giving control of his finances and care to three court-appointed fiduciaries: a property guardian, Lawrence Flynn; a personal needs guardian, now Barbara Lissner; and his court-appointed lawyer, Adinolfi.

Flynn, who declined an interview request, is Max's third property guardian, and he had two personal needs guardians before Lissner entered the picture in 2019.

The professionals have generated millions in expenses, either for their own services or for those of lawyers hired to litigate on Max's behalf – often against his children over ownership of his art.

One pending fee request from Lissner, the personal needs guardian, is for her usual legal rate of \$550 an hour. If approved by the court, it would total \$598,664 for 13 months.

“

My first priority is to make sure that Peter is cared for in the best way possible. My second priority is to make sure all the attorneys who worked on this case get paid. It is astonishing to me that there are over \$2 million in attorneys' fees owed.”

Judge Lisa A. Sokoloff

Bloomberg Law

Libra Max, Peter's daughter, has challenged that as “grossly excessive.” Lissner's lawyer said she was unable to comment; the guardian has defended her billing in court filings.

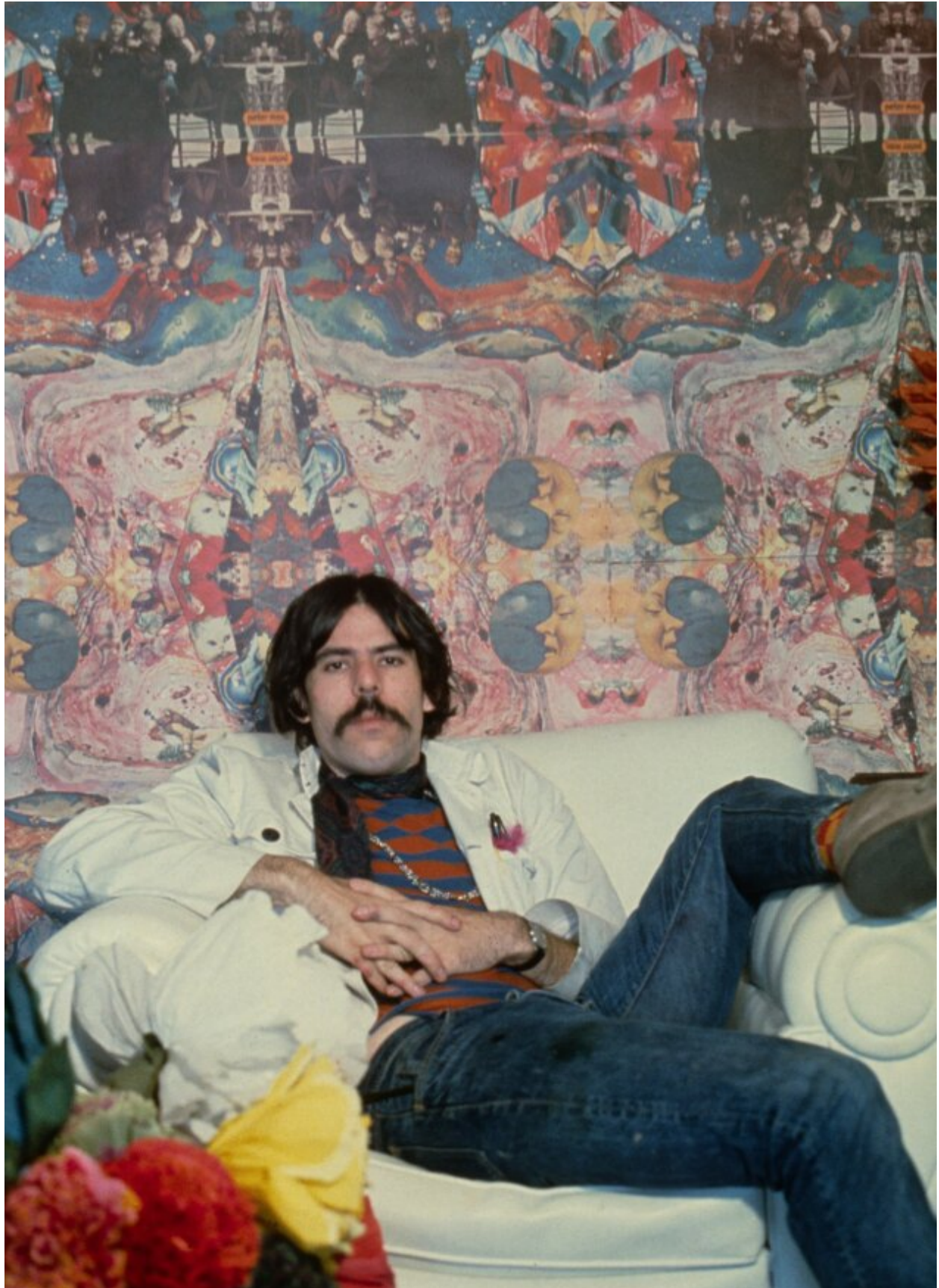
Lissner doesn't provide legal services to Max. Instead, her responsibilities are to attend to his personal needs and safety. Her time records describe over 1,000 hours of activities sometimes more akin to the services of a social worker or house manager.

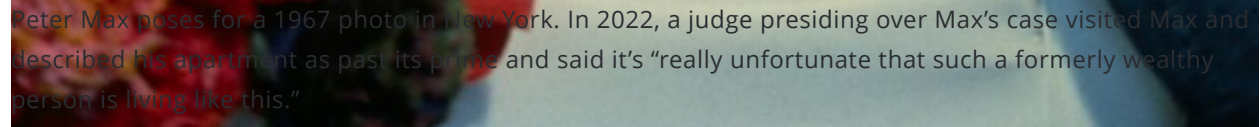
One three minute entry reads "Guardian emails PING's son that she hopes he is feeling better." At Lissner's proposed rate, that's \$27.50. Another entry for six-minutes reads "Guardian emails PING's son to ask him if he visited his father the previous day and if he was able to fix the Netflix issue." That's \$55.

The records also show that much of her time was spent managing inquiries from Libra and the daughter's lawyers. Another attorney, hired by Max's property guardian in the legal fight over his art, bills \$650 an hour.

Lissner said in court filings she has yet to be paid. She isn't alone.

As of May 2021, Max's guardianship account had a balance below \$5, according to an affidavit Flynn filed. Flynn said he had been forced to use some of his own money to pay for some of Max's expenses.





Peter Max poses for a 1967 photo in New York. In 2022, a judge presiding over Max's case visited Max and described his apartment as past its prime and said it's "really unfortunate that such a formerly wealthy person is living like this."

Photographer: Santi Visalli/Getty Images

Despite Max's substantial estate – comprising more than \$15 million in principal when Flynn took over in 2017 and more than \$16 million in income from ALP over the same period – Flynn said Max was unable to meet his financial obligations.

Of the more than \$16 million in income, more than \$7 million went to cover back taxes, and roughly \$893,000 went to a mortgage and apartment renovations.

The remainder of Max's income has been spent trying to maintain the life the renowned artist had grown accustomed to with his late wife. Flynn said he needs at least \$2.5 million a year for Max's expenses but is receiving only a fraction of that.

The presiding judge has made clear the professionals will be paid.

"My first priority is to make sure that Peter is cared for in the best way possible," Judge Lisa A. Sokoloff said during an April 22, 2022, hearing. "My second priority is to make sure all the attorneys who worked on this case get paid. It is astonishing to me that there are over \$2 million in attorneys' fees owed."

Abbott: Questions and Fees

After the guardian was appointed to examine her case, Sara Abbott's legal fees skyrocketed.

The temporary guardian, Fleming, quickly raised red flags with the judge about Diana's use of Sara's \$1,168 monthly income, which was derived from Social Security Disability Insurance and Supplemental Social Security.

Eight days after Sara received one check with back pay in 2018, Fleming wrote, Diana bought a 2015 Ford Escape for \$19,455, writing a check from her daughter's account. "It is important to note that Sara does not drive, and the car is in Diana's name only," she wrote.

Fleming also noted in court filings that Diana put a new roof on their house, spending \$4,500 from Sara's account.

Fleming suggested the mother be held accountable for "depleting Sara's funds."



Diana Abbott said she received no training to become her daughter's guardian.

Photographer: Jim Vondruska/Bloomberg

The accusation, mother and daughter say, is a fundamental misunderstanding of their situation: The money Diana spent was for her daughter's benefit. Since Sara doesn't drive, her mother provides all of her transportation. They have lived alone in the tidy family home in Salem since Sara's father, Stephen, died in 2011.

"Sara says she was told the roof had to be replaced or she would lose her Homeowner's Insurance," wrote lawyer Amy Semones, representing Sara.

Said Sara: "How is that not for me? I need a roof over my head so I don't get rained on."

Fleming questioned other spending for electric, water and sewer, property taxes, and insurance.

"I believe there is a continued need for a guardian," Fleming wrote the court on March 22, 2021. She said Sara needed help with medical, mental health, and social interaction needs and suggested Diana have "no access" to her daughter's bank account.

Semones said their spending wasn't frivolous. Sara "was consulted about and consented to all of the transactions" while her mom was guardian, the lawyer wrote.

And while Fleming was scrutinizing the roof and other spending, she was charging fees that resulted in half a day's work totaling more than half of Sara's monthly income.

On June 6, 2021, Fleming submitted an invoice for her guardian services for her first 3½ months. Her rate was \$175 an hour. One bill was for \$700 for 4 hours of work reviewing documents Diana provided her, which Fleming used to help form her March report.

In all, the total equated to more than \$1,500 a month, more than Sara's entire monthly income. A day after Fleming submitted her invoice, Judge Medlock approved it. Sara was on the hook for the bill.

The judge also questioned other spending and told Diana not to "spend money frivolously." That September, the judge told Diana to reimburse Sara's account \$900 spent for Sara's video games and another \$600 on streaming services.

In all, Medlock ordered Diana to reimburse Sara's account \$11,720, including \$3,000 for the roof and \$6,485 for the car. He suggested she "consider the sale" of the family home.

“

I was being treated like I was insignificant. I have a big motivation to get out of this guardianship. If I don't, I'm going to lose my mom, my house, my life.”

Sara Abbott

Bloomberg Law

Semones quickly pressed the judge about the close scrutiny of Sara's spending that simultaneously threatened to deplete her account.

Semones called some of Fleming's charges "unnecessary, duplicative and excessive," particularly in light of Sara's modest income. Fleming billed \$175 for one hour spent copying records; Sara said she could make copies for 10 cents per page. "The invoice contains billable time for unnecessary travel in situations where a fax, phone call, email or internet search would suffice."

In court papers, Fleming said her actions were "made in good faith on behalf of the protected person" and that she is "entitled to reasonable compensation." After Semones questioned her fees, Fleming reanalyzed her bills – and increased the total by \$52.50. The in-person meetings, she said, "were necessary."

Fleming declined to discuss the case with Bloomberg Law. "I will not be talking with you about Sara Abbott," she said.

All the while, the court denied Sara's request for money for personal expenses. After Fleming took over, Diana, who had previously injured her back, said she was forced to return to work to "make ends meet." Sara had to make written requests to the guardian for her bank statements and required permission to host a yard sale to raise money, wrote Semones, who was billing Abbott a reduced rate of \$50 an hour while also seeking a nonprofit to represent her at no cost.

Max: Art and Lawsuits

Max was placed into a guardianship in part to prevent family infighting, but that original intention has been thwarted.

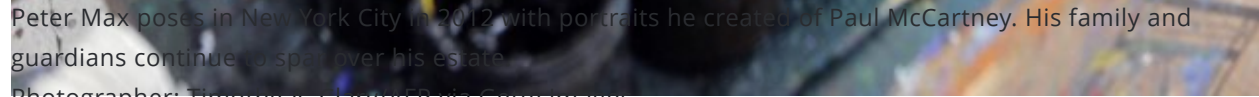
Generally speaking, "the more dysfunction in the family, the higher the costs of the guardianship," said Katherine Pearson, a professor at Penn State Dickinson Law who specializes in policies related to aging. As disputes escalate, the legal costs spike.

Adinolfi, Max's lawyer, said she couldn't comment on the case. Speaking generally, she said guardianships can "be the best thing for a family" when they're not contested. But when family dynamics are volatile, "it can drive a guardian's time through the roof."

Max founded ALP Inc., named for his children, Adam and Libra, and himself, in 2000. His children hold equal 40% shares. Max owns the remaining 20%, now controlled by Flynn, the property guardian.

In December 2019, Flynn's lawyer sought to recover "all artworks produced by Peter," along with the remainder of his "valuable intellectual property."





Peter Max poses in New York City in 2012 with portraits he created of Paul McCartney. His family and guardians continue to spar over his estate.

Photographer: Timothy A. Clary/AFP via Getty Images

Flynn asserts that Max never intended for ALP – and in effect his children – to control all of his work while he was alive.

He claims Max had been suffering from dementia for two years, according to one of his doctors, when he supposedly transferred his intellectual property rights to ALP. In effect, Flynn is arguing that Max didn't have the capacity in 2014 to transfer his intellectual property, even though he possessed the capacity in 2016 to enter into a guardianship.

Flynn has also said he has no choice but to aggressively pursue Max's claim over the art, alleging that Libra began intentionally starving the guardianship in 2019 amid her legal wars with her father's guardians.

Libra has authority to determine her father's ALP income, and in court filings, has said she reduced his salary to \$800,000 because the company has less cash on hand than normal.

Initially siding with Libra, Flynn voted to oust her brother Adam as president of ALP in late 2018 but by March 2020, Flynn had changed his mind. He accused Libra of misconduct and agreed to reinstate Adam as president, provided Adam agree not to contest the claim to his father's art – or to oppose the guardians' fee requests.

Adam's attorney blamed Libra for much of the case's chaos. "The plain reason that this matter appears to have spiraled out of control and incurred large requests for compensation by fiduciaries is directly correlated to the litigation that was instigated by Libra Max," wrote Matthew S. Seidner.

Libra's lawyer counters that the fees are the consequence of Max being "ripped from his family and loved ones at the end of his life."

"Simply stated, if Peter was being cared for by his family, as is his wish, there would be no legal fees," Clifford Meiorowitz said. It "strains credulity," he added, that he wanted "his life run by strangers."

Libra has been seeking unsuccessfully since 2019 to have Lissner removed as her father's personal needs guardian.

Their discord escalated in December 2021, when Lissner sued Libra for defamation in state court following an interview Libra gave on Fox 5 New York two months earlier criticizing the guardian.

So now, the court-appointed official watching over Max is formally at legal odds with his daughter.

Libra can see her father, but only when Lissner agrees, and is generally prohibited from accessing his medical information or speaking with his physicians.

And it has all been approved by the court. Adam has said he has no problems seeing his father and, in court filings, has supported Lissner's care.

In April 2022, Sokoloff – the fifth judge to preside over Max's case – told Lissner and Libra to be civil, or communicate through lawyers. "I don't want to be called to find out that Libra isn't leaving, because I will come over with the police, and you don't want that."

About a week later the judge visited Max. She described his apartment as past its prime and said it's "really unfortunate that such a formerly wealthy person is living like this."

"He talked to me a little bit," the judge said. "He was drawing and painting with markers."

Abbott: Seeking a Way Out

As she found herself deeper in the system, Abbott said she felt invisible.

"I was being treated like I was insignificant," she said from her hometown 100 miles south of Indianapolis. "I have a big motivation to get out of this guardianship. If I don't, I'm going to lose my mom, my house, my life."

Her friction with the guardian was clear to Medlock, who "observed in Court the behavior of the ward and her mother towards Ms. Fleming to be disrespectful." But on this, too, there are two sides to the story.

Abbott is a detail-oriented woman who keeps careful track of her schedule. After the judge appointed Fleming as her guardian, she took to taking notes during their meetings.

"She has not once listened to a word I have said," she wrote of their first session in 2021.

"Fleming claims that her goal is to 'help me save money and be frugal' despite the fact that she is/will be charging me for not only these weekly meetings but also any interactions with her," she wrote. "The fees for these meetings will more than likely deplete my account."

As they continued to meet, Abbott said Fleming objected to her taking notes. "Fleming asked me to put binder down. I told her I am more comfortable with it out," she wrote of their second meeting. "It is hypocritical of her to complain of me taking notes for my own records if she does the same."

Abbott is now also working with Justin Schrock, an attorney with Indiana Disability Rights representing her at no cost in her bid to end the guardianship.

Schrock formally challenged Fleming's bills. By October 2021, Fleming had billed \$8,915.85 for eight months – or \$1,114 a month, 91% of Abbott's total income, then at \$1,225.



Indiana Attorney Justin Schrock is representing Sara Abbott as she fights to be released from her guardianship.

Photographer: Jim Vondruska/Bloomberg

As Abbott awaits her day in court, her case has undergone major change. Last March, Fleming was replaced as guardian by Loren Pilcher, chief operations officer of a behavioral therapy company called Sweet Behavior, who supports Sara ending the guardianship.

In June, Judge Medlock recused himself from the case, citing its “conflict and animosity” in an interview. Medlock said he had concerns about some of the “suspect transfers,” prompting him to appoint Fleming. “I was asking for a different set of eyes,” he said.

Asked about the family’s view that the spending benefited Sara, Medlock acknowledged some second thoughts. “Yes, honestly, when I do look back at it I think they do have something of a point.” But he said the costs should have been split between mother and daughter. Medlock agrees Indiana guardians “absolutely” don’t get enough training.

He said Fleming “did a lot of work and gave me significant insights into how the funds were spent,” but admitted her bills “were extensive” and “some of the meetings with Sara weren’t necessary.”

Bloomberg Law asked legal professionals to analyze topics including the role guardianship plays in states and what reforms would serve vulnerable populations.

In the end, Fleming waived about half of her \$12,000 final bill and Abbott paid \$2,600, Schrock said. The judge got the county to pay the balance.

"I thought it best to recuse," Medlock said. "I wanted to be fair to everybody. I wasn't sure I could be."

He said he's not convinced Abbott is ready to terminate the guardianship and felt it better for another judge to resolve that question. "I had strong opinions about it."

If the new judge frees her from the guardianship, Abbott said, "I might faint on the spot."

Along the way, Diana has witnessed a more confident daughter emerge. "Sara has gotten her voice through all this," she said.

Sara said she is ready to use that voice.

"Fight back," she said. "Prove you're functional. Don't let people treat you like you're lesser because you're different."

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Guardians' Abuses Persist as One State's Easy Fix Goes Unmatched

By Ronnie Greene

Deep Dive

In the Name of Protection: Part 5: A Solution

Nevada has adopted a legal reform that eliminates unnecessary guardianships and seeks to prevent the type of fraud and abuses examined in a Bloomberg Law series. Why hasn't the rest of the country followed suit?

Across the US, uneven oversight and accountability mar the legal process by which adults are placed under guardianship. The lack of rigor has opened the door to stolen funds, judicial errors, bulging caseloads, and legal entanglements for vulnerable people.

But one straightforward reform could help ensure adults placed under guardianship aren't abused, defrauded, or silenced. Nevada overhauled its system and achieved meaningful results. Advocates are waiting for the rest of the country to catch up.

Triggered by high-profile guardianship scandals, Nevada in 2017 began requiring independent lawyers be assigned to represent adults whenever a petition for guardianship is filed. This legal help comes at no cost, much like in criminal cases where indigent defendants are guaranteed free counsel.

States typically say adults under guardianship have a right to counsel, but Nevada goes significantly further. It requires that representation come before a petition is approved, that the lawyer's sole role is to represent the protected person's interests, and that the legal guidance is free. Court fees pay the costs.

With more than 2 million people, Clark County, home to Las Vegas, is the epicenter of a system in which legal aid lawyers scrutinize guardianship petitions.

The idea was to stop guardians from depriving people unnecessarily of their liberty and stealing their money. "Before the scandal, most of the time the individual and their families didn't even have notice that this was going on or didn't have the ability to challenge it," said Barbara Buckley, executive director of the Legal Aid Center of Southern Nevada.

When a petition is filed, Buckley said, lawyers start by asking their clients to-the-point questions.

"Do you know a guardianship has been filed against you? And in some cases, they may say yes, this is my daughter and I need their help and this is fine," she said. "In some cases, they say, 'What? By who? I have never met this person before in my life.'"

When the client has grounds to push back, Legal Aid Center lawyers press the point in court.

In 2021, they defeated 25% of guardianship petitions in Clark County, according to the center's most recent annual report. The core reason: The guardianship wasn't needed.

In January, Buckley said the office had 2,344 open adult guardianship cases, plus 563 involving minors. Buckley's staff includes 15 adult guardianship attorneys, four focusing on minor guardianship cases, four advocates, and five legal assistants. Its annual budget for the unit: \$3.2 million.



Filling a Void

Nevada's overhaul alone couldn't resolve all the problems documented in the Bloomberg Law series. But having independent lawyers on the front end, courthouse veterans say, can steer away unnecessary cases and provide protection for vulnerable adults.

Such protections are crucial. Across the US, adults can be placed under guardianship with little warning or legal help; once in, they encounter a system in which guardians are rarely regulated or certified, and where judges often provide scant scrutiny. More stringent oversight could've aided Britney Spears, who spent years fighting a conservatorship.

“

All other states have done an excellent job of making sure that investigations like I ran in Nevada are almost impossible to do. Because this profit center today is so big.”

**Rick Black,
Guardianship Reformer**

Bloomberg Law

Lawyers like those in Nevada fill a void, providing accountability often sorely lacking.

Nevada's system is “a wonderful step forward,” said Erica Wood, the former assistant director of the American Bar Association Commission on Law and Aging.

She noted that many state laws provide a right to counsel, but that can be “an empty right” unless the court consistently appoints counsel for those without representation and the state covers the cost for those who can't pay. “Having the right to counsel doesn't mean the person will actually get counsel in practice—or if they do, often it's not counsel as an independent advocate but more of a court investigator.”

A December [2022 ABA survey](#) bears this out. At least 25 states say those under guardianship are “entitled” to counsel, have the “right to be represented,” or can request counsel, all standards below Nevada's mandate. Another 21 states say counsel “shall” be appointed, but that can be murky. Pennsylvania says, for instance, that counsel “shall be appointed in appropriate cases.” Maine says lawyers shall be appointed “when respondent requests” or under other conditions.

New Hampshire, by contrast, says the right to counsel is “absolute, unconditional,” and the state seeks to [avoid unnecessary guardianships](#). Nevada says legal counsel “must” occur.

So why aren't others following Nevada's model?

“All of this stuff costs money,” said Alice Liu McCoy, who became executive director of New Mexico's [Developmental Disabilities Council](#) after guardianship fraud left that state agency in turmoil.

McCoy, a former disability rights lawyer, said guardianship is too often a first resort when it should be the last. She agrees the changes to Nevada's system have worked.



Alice Liu McCoy became executive director of New Mexico's Developmental Disabilities Council after a guardianship scandal rocked the state.

Photographer: Adria Malcolm/Bloomberg

Legal Help

Across the country, independent lawyers have been the difference in guardianship cases for those who get trapped in the system, Bloomberg Law found.

In Indiana, disability rights lawyer Justin Schrock helped Nicholas Clouse end a guardianship that lasted several years after he recovered from a brain injury sustained in a traffic accident; Clouse remained under guardianship even after marrying, having a child, and gaining work. Now Schrock is working to help Sara Abbott, a young adult with autism whose case was also detailed earlier in this series, terminate a guardianship in which her former guardian billed nearly Abbott's entire monthly income while questioning the family's spending.

Georgia Advocacy Office senior staff attorney Julie Kegley helped Kalei Bulwinkle be freed from guardianship in a case in which the local judge was found to have improperly restricted her rights. In Texas, disability rights lawyer Kayla Puga helped Ruby Campos end her guardianship more than a decade after it began. "One of the biggest decisions I couldn't make on my own was the right to speak for myself," Campos said.

Without such legal backing and support, fraud or abuse can fester.

In New Mexico, directors of Ayudando Guardians stole nearly \$12 million from 1,000 clients, leaving many destitute as the guardians globe-trotted and rented sports skyboxes. In Nevada, a court-appointed financial guardian named April Parks was sent to prison for up to 40 years in 2019 after admitting she stole more than half a million dollars.

Bloomberg Law asked legal professionals to analyze topics including the role guardianship plays in states and what reforms would serve vulnerable populations.

No Traction

Rick Black, executive director of a nonprofit advocating guardianship reform, said he has examined thousands of cases nationwide, including many in Nevada. There, he spotlighted guardianship abuses and pushed the state to adopt changes.

Black said Nevada's system sets a clear national standard. Once it passed, he said, he looked forward to other states following suit.

But six years later, "We have had no success," he said.

Black blames the industry and those who profit from it. Unlike some states, Nevada's public records laws require guardianship files to be open to the public. Black said that allowed him to scrutinize volumes of case files. But nationwide, that's not often the case. Some localities seal guardianship files. Others that make them available require record seekers to travel to the courthouse to manually pull paper files.

Those hurdles make uncovering fraud more daunting. Another reform Black seeks is for all US probate courts to have their guardianship case files not only public, but searchable online. He also wants hearings to be videotaped.

With more transparency, abuses occurring in the shadows could come to light.

"All other states have done an excellent job of making sure that investigations like I ran in Nevada are almost impossible to do," he said. "Because this profit center today is so big." Experts speculate that guardians control more than \$50 billion in assets for those under court control.

In Nevada, the changes have made a tangible difference.

Legal Aid Center lawyer Debra Bookout helped Victoria Gonzales, a 35-year-old woman with cerebral palsy, terminate a guardianship that had lasted more than a decade.



Victoria Gonzales, at left, escaped her guardianship with help of Legal Aid Center lawyer Debra Bookout. Photographer: Bridget Bennett/Bloomberg

Gonzales had been adopted by her grandmother. But after her grandmother died, another relative became Gonzales' guardian in 2009. Gonzales said she felt powerless. She later connected with Bookout, directing attorney for the office's Guardianship Advocacy Project, and, in court in November 2021, officially escaped the system.

"Victoria, we're going to give you your wish. We're going to give you back your guardianship," she recalled the judge saying. Her first thought: "Freedom!"

Now living on her own and working as a movie theater usher, she said she finally feels empowered to make her own decisions. "I feel like there's a whole bunch of confidence," she said, "and no one can tell me what to do."

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Access to Justice Highlights 4th Quarter 2022

Overall Highlights re Activities, Community Initiatives & Outreach

New Initiatives

Criminal Record Sealing

This fall Legal Aid Center of Southern Nevada was awarded a grant to assist people with sealing their criminal records. The criminal record sealing team - Jason Fisher and two legal advocates have been conducting outreach events focused on record sealing and attending Legal Aid Center outreach events to get the word out to people who can benefit from sealing their records. Sealing a criminal record can be transformational for someone seeking a better job, a promotion, or to be free from a reckless mistake made in their past.

Mexican Consulate

Spanish-speaking Family Justice Project attorneys and legal advocates go to the Mexican Consulate monthly to meet with people who can benefit from Legal Aid Center services.

Family Justice Project Safe Nest

The Family Justice Project has formed a collaboration with Safe Nest, the largest domestic violence shelter and service provider, and staffs weekly in-person, on-site legal services at Safe Nest including representing domestic violence victims in protection order hearings on the Safe Nest campus. This partnership has enabled Legal Aid Center to increase the number of survivors receiving attorney representation at protection order hearings where they are more likely to be successful because they are represented by an experienced domestic violence attorney.

Asylum Preparation Workshop

There is a huge influx of Cuban immigrants to Las Vegas. Catholic Charities asked us to partner with them on an Asylum Preparation Workshop. The last quarter of 2022 we have been working with Catholic Charities and the local chapter of the American Immigration Lawyers Association to conduct a workshop on January 28 at the Catholic Diocese. All attendees will must have a case pending in the immigration court to be eligible to meet for one-hour appointments with an attorney and receive assistance completing their documents.

Ongoing Initiatives

We continue to participate in the Antiterrorism & Emergency Assistance Program (AEAP) monthly collaboration meetings with the State of Nevada and other AEAP sub-grantees.

We continue to conduct quarterly meetings with the William S. Boyd School of Law Thomas and Mack Immigration Clinic and Catholic Charities to share information and resources related to current immigration trends and needs in the community.

The Legal Aid Center Immigration attorneys and pro bono attorneys attended hearings for the Afghani clients. To date we have received approvals on more than half of our Temporary Protected Status cases and have received 4 asylum approvals in house.

Legal Aid Center attorneys and staff and Pro Bono attorneys teamed up to hold our Pro Bono Week Ask-A-Lawyer event at Cambridge Community Center on October 25. We helped 92 clients.

On November 2 we hosted our third quarter open house. Over 30 friends and partners of Legal Aid Center including Congresswoman Lee and Congressman Horsford attended the event and learned about the outstanding work of the Children's Attorneys Project team. Our next open house in March 2023 will feature the Family Justice Project.

Website updates

- We added new calendar items for events about criminal record sealing, student loan forgiveness, the Legal Service Fund, and adult guardianship (www.lacsn.org/events-calendar).
- We added a Mobile Home Owners' Bill of Rights page (www.lacsn.org/mobilehome).
- We updated and featured our #GivingTuesday page (www.lacsn.org/givingtuesday).
- We added a page for the Legal Services Fund (LSF) clinics (www.lacsn.org/practice-areas/consumer-rights-project/culinary-bartenders-unions-legal-service-fund/legal-clinics)

Community Outreach Events – total for this quarter 26 –YTD - 88

10/5/22	Guardianship Advocacy Program - Mesquite Library	4 attendees
10/5/22	Legal Services Fund - Excalibur	15 attendees
10/8/22	Asian Community Resource Center Community Day	55 attendees
10/12/22	Las Vegas Municipal Court Resource Fair	62 attendees
10/13/22	Las Vegas Rotary Club – Barbara Buckley keynote speaker	100+ attendees
10/13/22	Legal Services Fund – Bartenders Union	3 attendees
10/15/22	Spanish Family Law Forms Clinics – East Valley Library	15 attendees
10/22/22	City of North Las Vegas Harvest Fest Trunk or Treat	50+ attendees
10/25/22	Pro Bono Week Celebration Annual Ask a Lawyer	100+ attendees
10/26/22	Mexican Consulate External Advice Legal Fair	10 attendees
11/2/22	Nevadans for Common Good Forum on Housing Issues	25 attendees
11/2/22	Children's Attorneys Project Open House	32 attendees
11/2/22	Legal Services Fund – Mirage	40 attendees
11/3/22	Loan Forgiveness and Application to Biden's Forgiveness Program	8 attendees
11/7-11/10/22	Helen Smith Elementary School – Career Week	100+ attendees

11/9/22	Clean Slate Criminal Record Sealing Ask A Lawyer – Parkdale	5 attendees
11/15/22	CCSD Family Support Center Latinix Information Fair	5 attendees
11/18/22	Canyon Springs High School – Women in Law Career Even	40+ attendees
11/19/22	Spanish Family Law Forms Clinic – East Valley Library	16 attendees
11/22/22	Fall Project Homeless Connect Resource Fair	72 attendees
11/29/22	Veterans Ask-A-Lawyer Event	13 attendees
11/30/22	Mexican Consulate Ask-A-Lawyer	9 attendees
12/5/22	Manufactured Homes Rights Presentation	75 attendees
12/7/22	Clean Slate Criminal Record Sealing Ask-A-Lawyer – Cambridge	15 attendees
12/8/22	Sun City Anthem Women’s Club – CAP Presentation	100 attendees
12/13/22	Commissioner McCurdy and Judge Harris Traffic Workshop	35 attendees

Legal Aid Center in the News

- <https://knpr.org/show/knprs-state-of-nevada/2022-10-26/help-is-out-there-southern-nevada-resources-for-leaving-domestic-violence>
- <https://knpr.org/show/knprs-state-of-nevada/2022-11-29/southern-nevada-advocates-speak-on-the-importance-of-adoption-and-fostering>
- <https://963kklz.com/2022/12/01/free-legal-services-available-for-southern-nevada-residents/>
- <https://www.reviewjournal.com/crime/legal-aid-center-will-open-new-facility-to-help-crime-victims-2695816/>
- <https://news3lv.com/newsletter-daily/lanterns-to-light-up-las-vegas-on-eve-of-one-october>
- <https://www.8newsnow.com/news/local-news/lanterns-to-light-up-las-vegas-in-remembrance-of-1-oct-shooting/>
- <https://www.publicnewsservice.org/2022-09-15/gun-violence-prevention/las-vegas-prepares-to-mourn-5-year-anniversary-of-1-octAsianober-massacre/a80635-1>
- <https://www.reviewjournal.com/local/local-las-vegas/forever-strong-license-plate-funds-crucial-oct-1-survivor-support-2647153/>
- <https://www.8newsnow.com/remembering-1-october/1-october-survivor-finds-new-beginning-years-after-tragedy/>
- <https://www.8newsnow.com/remembering-1-october/you-carry-the-stories-with-you-1-october-survivors-share-how-running-helped-them-heal/>
- <https://news3lv.com/news/local/locals-come-together-for-grief-counseling-nearing-1-october#>
- <https://www.vegaspbs.org/blogs/nevada-week-season-5/vegas-strong-five-years-later2022/>
- <https://lasvegasweekly.com/news/2022/sep/29/vegas-strong-resiliency-center-sanctuary-support/>
- <https://www.reviewjournal.com/crime/shootings/true-death-toll-of-las-vegas-mass-shooting-may-never-be-known-2648870/>
- https://www.washingtonpost.com/national/vegas-survivors-signal-hope-even-as-mass-shootings-march-on/2022/09/30/eaf7cc42-40e3-11ed-8c6e-9386bd7cd826_story.html
- <https://www.lasvegasnevada.gov/News/Blog/Detail/five-years-following-the-route-91-shooting-there-is-an-uptick-in-people-seeking-help>
- <https://news3lv.com/news/local/vegas-strong-resiliency-center-hosts-free-tattoos-for-1-october-first-responders>

- <https://www.8newsnow.com/remembering-1-october/vegas-strong-resiliency-center-community-members-make-lanterns-to-remember-1-october/>
- <https://www.fox5vegas.com/2022/10/01/lantern-ceremony-honors-1-october-victims-survivors/>
- <https://www.kunr.org/news/2022-09-30/director-vegas-strong-resiliency-center-city-healing-5-years-later>
- <https://www.npr.org/2022/10/01/1126387767/five-years-later-survivors-of-the-las-vegas-shooting-struggle-with-the-fallout>
- <https://www.reviewjournal.com/local/local-las-vegas/the-vegas-strong-resiliency-center-continues-to-be-a-lifeline-for-1-october-survivors-2649675/>
- <https://www.npr.org/2022/10/02/1126293032/las-vegas-mass-shooting-survivors-turn-to-each-other-to-find-strength-through-tr>
- <https://lasvegassun.com/news/2022/dec/06/unlv-masters-program-puts-focus-on-emergency-prepa/>
- <https://www.reviewjournal.com/local/education/new-scholarships-offered-for-those-affected-by-las-vegas-shooting-2673721/>
- <https://www.boisestatepublicradio.org/news/2022-12-13/vegas-strong-survivors-talk-mental-health-and-healing-in-shootings-aftermath>
- <https://news3lv.com/news/local/support-group-vegas-strong-resiliency-center-urges-las-vegas-to-be-mindful-of-those-with-ptsd-on-new-years-eve-nye-trauma-survivors-one-october>

New Videos

We added 11 public videos and shorts to Legal Aid Center's YouTube channel.

Community Justice Fellow Widad Diab
https://youtu.be/0_Yvq_umwu0

We were so lucky to have Widad as our Community Justice Fellow!
<https://youtube.com/shorts/8k4qkMVQXCQ>

We're taking applications for our 2023 fellow now!
<https://youtube.com/shorts/s6Au1qXBjJ4>

Judge Sullivan's Message to Pro Bono Attorneys
<https://youtu.be/sNlrYpTttUs>

We ♥ Wesley!
<https://youtube.com/shorts/HKuqjOMSQU0>

The Community Justice Fellowship, Sponsored by Paul Padda Law
<https://youtu.be/xd3aPcgozjM>

New law grads can get valuable legal training with us thanks to Paul Padda Law!
<https://youtube.com/shorts/THQpm2QW6i0>

Marjorie Guymon - 2022 Pro Bono Attorney of the Year
<https://youtu.be/nONZnjDS1qk>

Giving free legal help over the phone has been so rewarding to volunteers like Doreen
<https://youtube.com/shorts/snDDaNt6vzM>

Ballard Spahr - 2022 Law Firm of the Year
<https://youtu.be/pMXwfbvKmk>

Michelle Darquea - 2022 Ask-A-Lawyer Community Commitment Award
<https://youtu.be/9PTmTwvBc2U>

We added 7 public videos and shorts to the Vegas Strong Resiliency Center's YouTube channel.

The VSRC can help responders and anyone impacted by 1 October #ResponderWellness
<https://youtube.com/shorts/IUecN6YafcU>

What does it mean to move beyond Route 91?
<https://youtube.com/shorts/gPNsCXhdkc>

Getting Unstuck & Finding Happiness Again: Moving Beyond Route 91
https://youtu.be/8axA__A9eJE

Mary is one of our many peer support volunteers happy to help other Route 91 survivors
<https://youtube.com/shorts/4G--KUR0amg>

Buscando luz en la oscuridad
<https://youtu.be/9O8AS-IsXaQ>

It's never too late to ask for help
<https://youtube.com/shorts/BNYTppG56Aw>

Happy and Healthy Holidays!
https://youtu.be/_xUr1_sIES0

Consumer Case Highlights

*Mary**

Mary vs. Social Security Administration – Client is 55 years old and was homeless when she contacted Legal Aid Center of Southern Nevada for assistance with her Social Security disability claim. Client had a history of repeated sexual abuse while homeless and claimed disability due to: Paranoid Schizophrenia and Bipolar Depression. Client testified at a telephonic hearing at

Legal Aid's office due to her lack of a phone and ongoing intense paranoia regarding owning or possessing a phone. At her telephonic hearing with Judge Gatto, client appeared disheveled and highly agitated. She testified regarding being pursued by a members of a "secret society" and implied judge may be part of the society. Client also testified regarding her back pain, depression, and acknowledged her diagnosed of paranoid delusions, but insisted the alleged delusions were real. Client received a partially favorable decision and returned for assistance from Legal Aid with her telephonic interview with Social Security representative regarding her financial eligibility for SSI benefits. Client later began receiving benefits in November 2022. Client continues to have difficulties with Social Security and Legal Aid continues to assist her with issues involving the reduction of her benefits and her eligibility for a culinary pension due to her past work. She has a caseworker to assist her with housing and other non-legal issues. Client is happy now that she is receiving benefits and has housing. While she continues to have serious mental issues, they have improved with her medication and regular mental health treatment.

*Name changed to protect client's confidentiality.

Guardianship Advocacy Program Case Highlights

John,* 64 years old, wound up in a skilled nursing facility, with diagnoses of emphysema, acute kidney failure, depression, anxiety, Chrohn's Disease, memory loss, and confusion. The Petition for Guardianship described him as being "confused" and "dependent upon staff" for all needs. The Petition stated he needed 24-hour long-term care and according to the facility, was bed bound and his family could no longer take care of him or provide for his needs. The Petition requested that the Clark County Public Guardian be appointed as guardian over the estate, with the main motivation being to have someone apply for Medicaid benefits to pay the facility for John's care.

During my very first conversation with John, he was lively, opinionated, and decisive. He understood what guardianship was and absolutely did not want a guardian or feel that he needed one. He was furious that the facility filed such a Petition. He was also upset with the facility because they were not providing him with physical therapy to assist him in learning to walk again despite him repeatedly inquiring about it. I informed John that according to the Physician's Certificate that Petitioner also filed, he had capacity to sign a Power of Attorney. A Power of Attorney could be a way to avoid the guardianship and allow him to choose who will make decisions for him and manage his finances. He immediately said his niece and his sister would help him. He was even willing to have them as his guardians if the court deemed it necessary. I explained to him that I would have to make sure they are willing to act as agents first, and then I would check with Petitioner's counsel to see if completing a Power of Attorney would cause them to withdraw their Petition.

Given the Petition's description of John's family's involvement, I did not think it was likely that John's niece and sister would be willing to be agents under a Power of Attorney, or alternatively, guardians. However, John's niece and sister were both willing to do anything necessary to assist. In fact, the day before I even spoke with them, they filed an Objection to the Guardianship,

alleging that they were not even contacted about his health or potentially becoming his guardians.

I contacted Petitioner's counsel to see if they would be willing to withdraw the Petition for Guardianship if a Power of Attorney was completed and they agreed. The Petition was subsequently withdrawn. Petitioner's counsel agreed they would provide a Certificate of Competency form, which is necessary for someone to complete a Power of Attorney when they are residing in a facility. It took two months and many follow ups for the Certificate to be provided, leaving John in limbo and unsure what was going to happen. By the time the Certificate was received, John, with assistance from his family, relocated to another facility. He received the appropriate therapy to walk again and was able to be discharged home on his own. John was traumatized from his experience at the facility and terrified of ending up in that sort of situation again. Despite a Power of Attorney no longer being necessary because the guardianship case was dismissed, I still discussed the benefits of completing one. I assisted John with completing Powers of Attorney for both healthcare and finances, naming his niece as his agent and his sister as successor. The Power of Attorney also allowed John to specify his wishes in

regards to medical care. John was so appreciative of my help and felt it ensured he would not be powerless again in the future.

*names have been changed to protect confidentiality

Family Justice Project Case Highlights

Parties were never married but had an on and off relationship for 20 years resulting in the birth of three children. Father has a 30 year rap sheet that includes, kidnapping, sexual assault, attempted murder, domestic battery. Relationship includes a litany of domestic violence including financial, emotional, mental, verbal and physical. Client was able to get a TPO which forced Father out of the residence. Their 15-year old daughter audio recorded the incident that lead to the TPO. You can clearly hear Father hitting Mother; she is begging him to stop. He ripped her eye glasses off of her face and threw them. Father is calling Mother names including: fat, ugly, stupid, bi***, SI**, and prostitute. I represented Mother at the extension hearing and successfully argued for and was granted a two year TPO, which is uncommon. Father is squatting in a house and has an unregistered vehicle. This poses a safety concern for the children. In the custody case, I was able to achieve sole legal custody and sole physical custody of the children for Mother.

Immigration Case Highlights

*Hector**

Hector's U-Visa case has been open for over a year with no movement. I had made contact with the New Rochelle PD in Dec 2021 after being assigned this case. I was directed to the West Chester DA's office since PD said investigation was complete and case had transferred for prosecution. Made initial contact with DA's office late Dec 2021 and VM said contact was out

for maternity leave until Aug 2022. Then made contact with alt DA representative who asked for cert and evidence. I sent several emails and left VM's but by Nov 22 had not received a signed cert. Throughout I would ask client whether he kept his contact info current with PD and or DA and he confirmed he had. Early Dec 2022, I received a call from DA's office from a very helpful representative explaining what he believed happened. Unfortunately, he was resigning and could not sign the cert. He assured me it would go on the desk of authority to be signed. After one week, I left VM for the designated DA. No response after a week so I called again, this time from my mobile and the DA answered. She asked several questions about the case that appeared to be detrimental to client by no fault of his own. A week later, we received the terrible news that the DA was refusing to sign the cert. My heart sank but I waited until after Christmas to advise client. I asked if he had ever prayed and he said yes. I said all we can do now is pray, as I agreed to call the PD again and plead his case for cert approval. A nice woman at PD answered and transferred me to the new investigative officer as the officer on police report had retired. I explained in detail to the officer and begged him to consider the circumstances and not make my client a victim again. Client had been stabbed multiple times in the incident that led to his U-Visa filing. The officer agreed to speak with someone of authority and get back to me. The next day the officer left me a VM and told me who to email the cert to. Within hours (not days or weeks) the cert was signed and returned to me. I was overjoyed and celebrating with legal assistants. It was the happiest call of my career to call Hector and advise him his cert had been signed and we could proceed with his application.

*names have been changed to protect confidentiality

Children's Attorneys Project Case Highlights

Client is a 13 year old who is living with fictive kin and loves her placement. She wants to be adopted and the adoption date was set for 4 weeks prior to her 14th birthday.

Client's CAP Attorney went to see her and informed her that her college tuition is available to her if she is adopted **after** her 14th birthday. Client informed her attorney that she has plans to be a lawyer and tuition would certainly be beneficial to her.

After several telephone calls and meeting with all parties, the CAP Attorney was able to change the adoption date until after her 14th birthday. She was adopted after her birthday and is now eligible for free in-state tuition to college. She is thrilled!

Vegas Strong Resiliency Center Case Highlights

*Hannah**

Hannah came to the Center in order to pick up lanterns that the center had prepared and distributed to commemorate the 5 year remembrance. While speaking with one of the advocates Hannah disclosed that she had never been to the center before, and had not contacted the Center

for any services. Our advocate also learned that Hannah is a first responder who had worked the night of October 1st, 2017. She told our team that she had been sent to a counselor after 1 Oct. by her work and felt it was primarily for her employer's benefit, and she had resolved not to speak out or seek assistance after that bad experience. As our advocate followed up with their conversation Hannah further discussed a recent traumatic motor vehicle accident that had severely limited the use of Hannah's dominant hand that prevented her from working. Hannah started to express issues with insurance and disability, and our advocate requested if Hannah would be comfortable speaking briefly with the Center's attorney. After Hannah agreed, our advocate and attorney spoke with Hannah in one of the Center's private "soft rooms." Besides giving Hannah an opportunity to validate her experience with others, the attorney learned about Hannah's current issues and helped categorize, prioritize, and review next steps and how the Center could assist.

Hannah had a short term disability insurance benefit but had not yet started receiving payment, she had been using savings but had an upcoming \$300 premium payment that she could not afford. The Center assisted and approved Hannah for emergency financial assistance in order to pay the insurance premium, and collected benefit information to help navigate the short term disability program. Hannah had not accessed victims of crime compensation, so the Center sought and was approved for financial benefits that she was not aware she was eligible for.

Hannah had an outstanding issue stemming from the pandemic that she brought to the Center's staff attorney in November. Hannah was one of the millions of American's who needed to access covid-19 unemployment benefits. Because of State delays and backlogs, Hannah received an overpayment notice in November 2022 for benefits she received in 2020, from the State unemployment agency saying she owed \$50,000. Our attorney reviewed the unemployment information and issues and ultimately helped Hannah have the overpayment waived due to incorrect information.

Hannah was incredibly grateful for the assistance. She dropped by right before the holidays to drop off a treat and a thank you card. She stated that she had dropped in to pick up a lantern kit and instead the services she received changed her life.

*Name changed to protect client's confidentiality.

Pro Bono Project Highlights

Fourth Quarter 2022 Pro Bono Project Highlights:

I. Case Placements:

During this quarter we placed cases.

- October – 23 cases

- November - 35 cases
- December – 23 cases

II. Pro Bono CLE Seminars:

- October 3 – Restorative Justice CLE Training Mob museum (1 credit)
- October 11 – The Ethical Duty to Practice Trauma-Informed Lawyering CLE (1 credits)
- October 21 – Introduction to Representing Children in Abuse/Neglect Cases (2 credits)
- November 16 – Basics of Family Law (2.5 Credits)
- November 16 – Presenting and Objecting to Evidence at Trial (1.5 Credits)
- November 18 – Introduction to Representing Children in Abuse/Neglect Cases (2 credits)

III. Volunteer of the Month Recipients:

- October – Eric Dante
- November – John Fortin
- December – Dayvid Figler

IV. Pro Bono Firm and Bar Section Meetings:

- October 11 – Civil Bench Bar
- October 18 – Thorndal Firm Visit
- October 19 – Lipson Neilson Firm Visit
- November 3 – Family Law Bench Bar
- November 8 – Dependency Bench Bar
- December 13 – Bench Bar

V. Additional Events:

- October 3 – Bankruptcy Pro Bono Committee Meeting
- October 4 – Monthly Legal Refugee Resettlement Meeting
- October 6 – ATJC Judicial Pro Bono Meeting
- October 7 – CCBA Community Service Committee Meeting
- October 8 – 2022 LVNBA's Law Firm of the Year Gala
- October 11 – Inspire Awards
- October 12 – CCBA CLE Committee Meeting
- October 13 – Federal Pro Bono Standing Meeting
- October 21 – Fall Bar Admission Swearing-In Ceremony
- October 21 – Client Counseling Competition
- October 25 – Pro Bono Ask-A-Lawyer Event

- October 26 – SLP Event
- October 26 – Clark County Bar Association with Sandra Morgan
- October 27 – Pro Bono Mixer
- October 31 – Lunch with Barbara
- November 1 – Monthly Legal Refugee Resettlement Meeting
- November 3 – Meet Your Judges Mixer
- November 4 – CCBA Community Service Committee Meeting
- November 4 – Access to Justice Commission Meeting
- November 10 – Federal Pro Bono Standing Meeting
- November 17 – Justice Hardesty Event
- November 29 – DICE Meeting
- November 29 – Veteran’s Ask-A-Lawyer
- December 1 – Federal Pro Bono Standing Meeting
- December 1 – CCBA Holiday Mixer
- December 1 – New Lawyers Committee Holiday Mixer
- December 2 – CCBA Community Service Committee Meeting
- December 3 – CCBA Community Service Committee Outreach- US Vets
- December 6 – Monthly Legal Refugee Resettlement Meeting
- December 7 – Coffee with CAP: Mental Health
- December 8 – Associates Challenge Certificate Presentation
- December 9 – Feed the Funnel
- December 14 – CCBA CLE Committee Meeting

Consumer Rights Project - Cases Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Consultations	3,582	1,754	1,218	1,054	7,608
Number of cases accepted for Attorney in quarter	295	238	332	268	1133
Total cases worked on by attorneys (includes previous years cases)	487	610	723	676	
Social Security Project Cases - Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Consultations/Hotline calls	333	119	337	349	1138
Number of cases accepted for Attorney in quarter	28	26	45	55	154
Total cases worked on by attorneys (includes previous years cases)	127	126	137	145	
Guardianship Advocacy Project – Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Consultations	2	0	0	0	2
Number of cases accepted for Attorney in quarter	237	209	209	162	817
Total cases worked on by attorneys (includes previous years cases)	2,053	2,243	2,291	2,306	

Minor Guardianship Advocacy Project – Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Consultations	1	2	0	0	3
Number of cases accepted for Attorney in quarter	156	162	168	100	586
Total cases worked on by attorneys (includes previous years cases)	553	642	698	684	

Family Justice Project Cases - Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Consultations	633	509	584	417	2143
Number of cases accepted for Attorney in quarter	114	92	134	175	515
Total cases worked on by attorneys (includes previous years cases)	318	298	317	374	
Immigration - Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Consultations	683	720	566	220	2189
Number of cases accepted for Attorney in quarter	181	107	96	74	458
Total cases worked on by attorneys (includes previous years cases)	1,091	1,100	1,026	976	

Children’s Attorneys Project Cases Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Consultations	64	62	74	33	233
Number of cases accepted for Attorney in quarter	228	213	265	306	1012
Total cases worked on by attorneys (includes previous years cases)	1,875	1,981	2,007	2,601	
Education Advocacy Program Cases Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Number of cases accepted for Attorney in quarter	35	36	58	51	180
Total cases worked on by attorneys (includes previous years cases)	167	197	252	224	
Volunteer Education Advocate Program Cases Quarterly Stats					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Number of cases accepted for Attorney in quarter	20	16	22	24	82
Total cases worked on by attorneys (includes previous years cases)	144	157	174	149	

Civil Law Self-Help Center Quarterly Statistics					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Number of clients served	14,919	15,350	16,840	15,219	62,328

Family Law Self-Help Center and TPO Quarterly Statistics					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Number of clients served	18,592	19,499	21,636	19,787	79,514

Vegas Strong Resiliency Center					
	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	TOTAL
Number of Clients served					
Route 91	798	1,530	1,383	563	4,274
Other victims of crime			55	72	127

Community Legal Education Program Attendance Statistics					
CLASS	JAN. - MAR.	APR. - JUNE	JULY - SEPT.	OCT. - DEC.	TOTAL FOR YEAR
Divorce	142	149	168	108	567
Paternity/Custody	137	145	139	73	494
Guardianship	56	83	77	42	258
Spanish Family Law	13	13	22	4	52
Bankruptcy	36	39	51	36	162
Spanish Bankruptcy	3	0	4	0	7
Small Claims	71	99	103	70	343
Collection Proof	13	12	14	15	54
Family Law Litigation & Trial Prep	52	58	58	28	196
Immigration English	24	27	31	13	95
Immigration Spanish	4	14	3	4	25
Special Ed	7	1	0	0	8
Eviction Sealing	11	33	43	32	119
Tenant's Rights		18	129	49	196
Spanish FL Forms Clinic	10	5	13	34	62
TOTALS	579	678	855	508	2638

Pro Bono Project Case Statistics by Quarter					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct-Dec)	TOTAL
Number of cases placed	132	110	130	81	453
Number of unique attorneys who accepted a new case	118	93	113	76	400
Number of cases closed	107	33	7	304	451

Ask-A-Lawyer Pro Bono Project Quarterly Statistics (All Programs Combined)					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct - Dec)	TOTAL
Total Clients Served	908	1048	941	887	3784
Total Events Held	57	57	58	60	232
Total Unique Attorney Volunteers	202	211	198	211	822
Total Volunteer Hours	464.5	492.5	407	471	1835



2022 Highlights: Fourth Quarter

Outreach

NLS in the Community

10/04/2022	National Night Out - Northeast Area Command	Clark
10/05/2022	Collaboration w/Elko Public Guardian	Elko
10/05/2022	Laughlin Pro Bono Ask a Lawyer	Clark
10/06/2022	Adult Guardianship & Supportive Decision Making CLE	Statewide
10/07/2022	Basics of Record Sealing Class	Clark
10/09/2022	UNLV William S. Boyd School of Law Indian Nations Gaming & Governance Program Reception	Clark
10/11/2022	Pahrump Pro Bono Ask a Lawyer	Clark
10/11/2022	Eighth Judicial District Court Civil Bench-Bar Meeting	Clark
10/11/2022	HELP USA Joint Partner Meeting	Clark
10/12/2022	Veteran's Administration AAL	Clark
10/12/2022	Las Vegas Municipal Court Community Resource Fair	Clark
10/12/2022	Nevada Homeless Alliance Provider Meeting	Clark
10/13/2022	Las Vegas Champions of Justice 2022	Clark
10/14/2022	Opportunity Alliance Nevada Advisory Call	Statewide
10/14/2022	Carson City Bar Luncheon	Carson City
10/14/2022	Basics of Record Sealing Class	Clark
10/15/2022	10/15 National Latin AIDS Awareness Day	Clark
10/17/2022	Catholic Charities of Northern Nevada-Legal Help	Washoe
10/19/2022	NLS Meeting with Senator Cortez Masto's Office	Statewide
10/20/2022	Pyramid Lake 2022 Senior Halloween Party	Washoe
10/20/2022	Carson City Pro Bono Week Law Fair	Carson City
10/20/2022	The Children's Cabinet Nevada Strong Start Child Care Services Center	
10/20/2022	NLS Services Presentation	Statewide
10/21/2022	The Center's Health and Wellness Summit	Clark
10/22/2022	Reno Pro Bono Week Law Fair	Washoe
10/25/2022	Ask A Lawyer Event at Cambridge Recreation Center	Clark
10/25/2022	Power of Attorney Form Clinic	Clark
10/26/2022	Name Change & Gender Marker Forms Clinic	Clark
10/26/2022	Community Court	Washoe
10/27/2022	HIV Task Force Meeting	Statewide
11/01/2022	PACE Community Coalition Meeting 2022	Elko, Humboldt, Land
11/02/2022	Laughlin Pro bono Ask a Lawyer	Clark

11/04/2022	11/4 Huntridge Outreach	Clark
11/04/2022	Basics of Record Sealing Class	Clark
11/04/2022	Hope of Prisoners - Basic of Record Sealing Class	Clark
11/05/2022	Moapa Valley Resource Fair	Clark
11/08/2022	Pahrump Pro bono Ask a Lawyer	Clark
11/09/2022	VA Ask-A-Lawyer	Clark
11/09/2022	Veterans Fair	Washoe
11/10/2022	HIV Task Force Meeting	Statewide
11/12/2022	Cupcake Girls Event/Meeting	Clark
11/14/2022	Operation HOME Working Group	Clark
11/15/2022	SSI Presentation at Driven Conquer Paralysis Now!	Clark
11/16/2022	Elko Senior Center	Elko
11/16/2022	West Wendover Senior Center	Elko
11/16/2022	Elko County Holiday Coordination Community Meeting	Elko
11/16/2022	Law Library Ask a Lawyer	Clark
11/16/2022	Community Court	Washoe
11/17/2022	Numaga Senior Services Program Thanksgiving Dinner	Washoe
11/17/2022	NPHY Youth Homelessness Summit	Clark
11/17/2022	Elko County Safe Talk	Elko
11/17/2022	Crossroads Therapy Elko	Elko
11/18/2022	Basics of Record Sealing	Clark
11/29/2022	Collaboration Meeting with ACLU of Nevada	Statewide
11/29/2022	Collaboration Meeting with Fines and Fees Justice Center	Statewide
11/29/2022	Collaboration Meeting with Silver State Fair Housing Council	Statewide
11/30/2022	Collaboration Meeting with Nevada Disability Advocacy and Law Center	Statewide
12/02/2022	12/2 Huntridge Outreach	Clark
12/02/2022	SNRHA FSS Workshop - Sealing Criminal Records	Clark
12/02/2022	Basics of Record Sealing	Clark
12/03/2022	Latino Bar Association Christmas Party	Clark
12/05/2022	Southern Nevada Continuum of Care Moving On Working Group	Clark
12/05/2022	Meeting with Economic Opportunity Board	Clark
12/06/2022	PACE Community Coalition Meeting 2022	Elko, Lander
12/09/2022	Basics of Record Sealing	Clark
12/12/2022	The Just One Project - Tenant's Rights Training for Staff	Clark
12/13/2022	Name and Gender Marker Change Outreach	Douglas
12/14/2022	Nevada Homeless Alliance Provider Meeting	Clark
12/14/2022	Community Court	Washoe
12/14/2022	VA Ask-A-Lawyer	Clark
12/15/2022	12/15 S NV Health Consortium Meeting	Clark
12/15/2022	Pyramid Lake 2022 Senior Christmas Party	Washoe
12/15/2022	Elko Senior Center 12/22	Elko
12/15/2022	Happy Hour at The Jesse	Washoe
12/15/2022	Debt Collection Educational Outreach	Carson City
12/16/2022	Basics of Record Sealing	Clark

12/21/2022	Estate Planning	Elko
10/04/2022	National Night Out - Northeast Area Command	Clark
10/05/2022	Collaboration w/Elko Public Guardian	Elko
10/05/2022	Laughlin Pro Bono Ask a Lawyer	Clark
10/06/2022	Adult Guardianship & Supportive Decision Making CLE	Statewide
10/07/2022	Basics of Record Sealing Class	Clark
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10/11/2022	Eighth Judicial District Court Civil Bench-Bar Meeting	Clark
10/11/2022	HELP USA Joint Partner Meeting	Clark
10/12/2022	Veteran's Administration AAL	Clark
10/12/2022	Las Vegas Municipal Court Community Resource Fair	Clark
10/12/2022	Nevada Homeless Alliance Provider Meeting	Clark
10/13/2022	Las Vegas Champions of Justice 2022	Clark
10/14/2022	Opportunity Alliance Nevada Advisory Call	Statewide
10/14/2022	Carson City Bar Luncheon	Carson City
10/14/2022	Basics of Record Sealing Class	Clark
10/15/2022	10/15 National Latin AIDS Awareness Day	Clark
10/17/2022	Catholic Charities of Northern Nevada-Legal Help	Washoe
10/19/2022	NLS Meeting with Senator Cortez Masto's Office	Statewide
10/20/2022	Pyramid Lake 2022 Senior Halloween Party	Washoe
10/20/2022	Carson City Pro Bono Week Law Fair	Carson City
	The Children's Cabinet Nevada Strong Start Child Care Services Center	
10/20/2022	NLS Services Presentation	Statewide
10/21/2022	The Center's Health and Wellness Summit	Clark
10/22/2022	Reno Pro Bono Week Law Fair	Washoe
10/25/2022	Ask A Lawyer Event at Cambridge Recreation Center	Clark
10/25/2022	Power of Attorney Form Clinic	Clark
10/26/2022	Name Change & Gender Marker Forms Clinic	Clark
10/26/2022	Community Court	Washoe
10/27/2022	HIV Task Force Meeting	Statewide
11/01/2022	PACE Community Coalition Meeting 2022	Elko, Humboldt, Land
11/02/2022	Laughlin Pro bono Ask a Lawyer	Clark
11/04/2022	11/4 Huntridge Outreach	Clark
11/04/2022	Basics of Record Sealing Class	Clark
11/04/2022	Hope of Prisoners - Basic of Record Sealing Class	Clark
11/05/2022	Moapa Valley Resource Fair	Clark
11/08/2022	Pahrump Pro bono Ask a Lawyer	Clark
11/09/2022	VA Ask-A-Lawyer	Clark
11/09/2022	Veterans Fair	Washoe
11/10/2022	HIV Task Force Meeting	Statewide
11/12/2022	Cupcake Girls Event/Meeting	Clark
11/14/2022	Operation HOME Working Group	Clark
11/15/2022	SSI Presentation at Driven Conquer Paralysis Now!	Clark

11/16/2022	Elko Senior Center	Elko
11/16/2022	West Wendover Senior Center	Elko
11/16/2022	Elko County Holiday Coordination Community Meeting	Elko
11/16/2022	Law Library Ask a Lawyer	Clark
11/16/2022	Community Court	Washoe
11/17/2022	Numaga Senior Services Program Thanksgiving Dinner	Washoe
11/17/2022	NPHY Youth Homelessness Summit	Clark
11/17/2022	Elko County Safe Talk	Elko
11/17/2022	Crossroads Therapy Elko	Elko
11/18/2022	Basics of Record Sealing	Clark
11/29/2022	Collaboration Meeting with ACLU of Nevada	Statewide
11/29/2022	Collaboration Meeting with Fines and Fees Justice Center	Statewide
11/29/2022	Collaboration Meeting with Silver State Fair Housing Council	Statewide
11/30/2022	Collaboration Meeting with Nevada Disability Advocacy and Law Center	Statewide
12/02/2022	12/2 Huntridge Outreach	Clark
12/02/2022	SNRHA FSS Workshop - Sealing Criminal Records	Clark
12/02/2022	Basics of Record Sealing	Clark
12/03/2022	Latino Bar Association Christmas Party	Clark
12/05/2022	Southern Nevada Continuum of Care Moving On Working Group	Clark
12/05/2022	Meeting with Economic Opportunity Board	Clark
12/06/2022	PACE Community Coalition Meeting 2022	Elko, Lander
12/09/2022	Basics of Record Sealing	Clark
12/12/2022	The Just One Project - Tenant's Rights Training for Staff	Clark
12/13/2022	Name and Gender Marker Change Outreach	Douglas
12/14/2022	Nevada Homeless Alliance Provider Meeting	Clark
12/14/2022	Community Court	Washoe
12/14/2022	VA Ask-A-Lawyer	Clark
12/15/2022	12/15 S NV Health Consortium Meeting	Clark
12/15/2022	Pyramid Lake 2022 Senior Christmas Party	Washoe
12/15/2022	Elko Senior Center 12/22	Elko
12/15/2022	Happy Hour at The Jesse	Washoe
12/15/2022	Debt Collection Educational Outreach	Carson City

New YouTube Videos

11/26/2022 NLS Update: Student Loans
 11/27/2022 YouTube Law School: Episode 4: Trial

Project Updates

PRO BONO

New Cases Placed: 105

New Cases Accepted for Assistance: 191

New Volunteers: We had 11 new volunteers.

We also attended the New Admittee Ceremony with the Washoe County Bar Association to talk about our pro bono programs to new potential volunteers.

CLEs

10/24/2022	CLE: Family Law 101
10/25/2022	Ethics Discovery CLE
10/25/2022	HIV Law Conference

CORE SERVICES

Case Stories

**All client names disguised with aliases for the purpose of this report.*

Assistance to Individual with Intellectual Disabilities:

Joe* visited our office with his Case Manager with Humboldt Human Development Services to discuss the status of his adult guardianship. Joe's guardian, his father, had gone missing and he was interested in ending the guardianship and negotiating a lesser restrictive alternative. The guardianship had been entered in Idaho, though, but we were able to connect with our client's attorney in Idaho to terminate the guardianship in Idaho.

Because Joe has lived independently in a meaningful environment in Winnemucca for many years with a job, we determined a Supported Decision Making Agreement and a Durable Power of Attorney for Individuals with Intellectual Disabilities would meet his needs as a lesser restrictive alternative to guardianship in Nevada. As Joe said, he would like to be the "Guardian of myself."

We then met on several occasions to develop a Supported Decision Making Agreement to identify his needs for support. Excitingly, Joe's sister agreed to be named as his Supporter in the Supported Decision Making Agreement. Based on the creation of this Supported Decision Making Agreement in Nevada, we were able to work with his attorney in Idaho to terminate his guardianship. In addition, to complete the Settlement Negotiation for lesser restrictive alternatives, we executed a Durable Power of Attorney for Healthcare Decisions, as defined by NRS 162A.865. Humboldt Human Development Services remains as his Representative Payee and the organization remains able to provide support for his finances in this capacity and has access to his accounts and can

assist and pay his rent and other bills. With these lesser restrictive alternatives to guardianship, Joe was able to negotiate a settlement that doesn't require a guardianship in Nevada. Through our efforts, Joe was able to obtain a significant structure of support for his decisions in all areas of life, including decisions related to healthcare and finances.

Special Education:

Our client's mother contacted our office as the client, a minor, was a victim of hate speech in the school environment. Steven*, however, was originally listed as an aggressor and given two days of in-school suspension as a result. Mother appealed the discipline prior to our involvement and was set to have a hearing with the school.

Even prior to a meeting with the school, Steven's mother received a call stating that the discipline was rescinded. As we believed the incident was handled inappropriately based on his mental health diagnoses, Steven, his mother, and his NLS attorney met with the school to design a safety plan for Steven to ensure he had the appropriate support at school. It was discovered during these meetings that the IEP failed to mention Steven's Complex PTSD diagnosis. After further investigation, Steven determined that he wanted an IEE with his therapist. After the request for the IEE, the school issued a PRN denying it. The school district then filed a Request for Due Process Hearing. Through this process, we were able to negotiate a resolution. An IEP meeting was held to discuss the testing that was to be conducted per the Settlement Agreement. Eventually we were able to finalize an IEP for Steven to allow him to meaningfully and safely attend school to continue his education.

Subsidized housing:

Cathy* contacted Nevada Legal Services after receiving a 7 day pay rent or quit notice alleging that she owed \$2,394.50 in past due rent and \$47.50 in late fees for a total amount owed of \$3,392.00. The notice also stated that she made a payment of \$230.00 on June 4, 2022.

Cathy was a participant in the Southern Nevada Regional Housing Authority's Tenant Based Section 8 program. Before contacting NLS, she filed an affidavit denying that she owed rent. After contacting NLS, we began a review of her Section 8 assistance and determined that the total rent is \$959.00 per month, the Housing Authority has paid the landlord \$720.00 since the commencement of the tenancy. Cathy also provided proof that she had timely paid her portion of the rent. Therefore, she was not delinquent on her rental obligation. We appeared with her in court and obtained a denial of the summary eviction action.

Unemployment Benefits/Pandemic Unemployment Assistance:

The client was a massage therapist. The client filed for PUA benefits because the massage parlor closed due to the COVID-19 pandemic. The client had a layoff letter from his employer. DETR denied his PUA claim because he did not provide

documentation showing how his unemployment was COVID-19 related. We represented the client in his PUA Appeals hearing on January 11, 2022, arguing that his layoff letter from his employer is sufficient evidence to prove his COVID-19 related unemployment. On January 18, 2022, the PUA referee issued a decision reversing his PUA benefits denial.

By the Numbers – Core Services	
New cases accepted during the quarter	252
Total cases worked by advocates during the quarter	658

CLEAN SLATE PROJECT

Through our Clean Slate project, NLS provides education and legal assistance to Clark County residents seeking a fresh start by sealing their criminal records. NLS conducted outreach with The Source, Hope For Prisoners, law enforcement agencies and continue with our regular Basics of Record Sealing Classes while ramping up the number of clients we are able to serve through our record sealing efforts.

Community Education Series

Basics of Record Sealing – Community Education Series – 68 attendees

By the Numbers – Clean Slate Project	
New cases accepted during the quarter	42
Total cases worked by advocates during the quarter	69

CONSUMER LAW PROJECT

Case Stories

Our client was being sued for a debt she owed to Wells Fargo. Sue* had hired a debt consolidation company that specializes in helping settle debt; they helped her settle one account for Chase but failed to assist in helping her settle her large debt with Wells Fargo. Because the debt consolidation company required monthly payments to build up enough to have a downpayment for a settlement negotiation, they had been collecting Sue's money for a time and refused to refund it to her, even though Wells Fargo refused to settle.

Sue contacted NLS and we reviewed the contract, which stated that they were prohibited from holding onto her money as a fee for services unless settlement negotiations were reached and a downpayment to the creditor was made. After further investigation, NLS discovered the amount withheld was the equivalent of a fee. We drafted a dispute letter. The debt consolidation company closed her account and refunded all her money. Additionally, in order to protect her from future collection efforts, we also assisted her with a Claim of Exemption from Execution.

By the Numbers – Consumer Law Project	
New cases accepted during the quarter	107
Total cases worked by advocates during the quarter	183

HIV IMPACT LAW PROJECT

Our client contacted us because he received a 7-Day Pay Rent or Quit notice. Perry* explained to us that he fell behind in rent because of the COVID-19 pandemic. He stated that he had pending rental assistance application with Chicanos Por La Causa (CPLC). He further explained that the landlord accepted a partial payment in rent. He told us he tried to file a Tenant's Affidavit on his own but the fee waiver was rejected.

We advised the client that the court must stay an eviction proceeding pursuant to AB 486 when there is a federally funded rental assistance application pending. We determined the landlord's summary eviction complaint should be denied because Perry has a pending rental assistance application with CPLC and the landlord accepted partial rent. We filed a Tenant's Affidavit on the client's behalf. At the hearing, the landlord's attorney admitted that the landlord had accepted a partial payment in rent. The court ruled in the client's favor and denied the landlord's order for summary eviction.

In another case, we assisted Sam* after he had received an eviction notice for lease violations. Sam suffered from cognitive difficulties due to his years of struggling with HIV. The lease violation had been a one time incident as a direct result of his medical condition. NLS filed a Tenant's Affidavit on his behalf and on further investigation submitted a request for a reasonable accommodation. After further negotiation, the client decided that he wanted to move out of the unit and received significant time to do so. By voluntarily vacating, our client was also able to preserve his Section 8 assistance in order to find a new unit that he could afford.

By the Numbers – HIV Law Project	
New cases accepted during the quarter	27
Total cases worked by advocates during the quarter	118

INDIAN AND FARMWORKER LAW PROJECT

We have developed a new partnership with the San Manuel Band to expand our ability to serve tribal members across Nevada and look forward to developing a long term partnership to continue to broaden our assistance to tribal members statewide.

Case Story

Our Indian Law Project assisted in the matter if a minor child whose dependency case we helped transfer from State to Tribal court pursuant to the Indian Child Welfare Act. Because the only familial placement available was on tribal land, the state was unable

to place the child with family, and transfer of the case was necessary to prevent the child from placement in a non-Native foster home or congregate care. After transfer of his case, the child was able to stay with family during the pendency of his tribal court dependency case, and he was ultimately reunified with his mother. We are very proud of his mother's accomplishments and the success of keeping this Native family together.

Nevada Legal Services also acts as Public Defender for tribes in northern Nevada. NLS represented a defendant in the Tribal Court on various felony charges stemming from two incidents. Prior to trial, the tribal court set the bail as cash only in an amount that far exceeded what the defendant was able to post. NLS filed a petition for habeas corpus to challenge the excessive cash only bail. Due to COVID, the trial had also been scheduled out many months. After much litigation regarding the propriety of client's pre-trial detention, the case was set for a jury trial but the complaining witness did not appear. NLS negotiated a plea deal for credit for time served with no supervision, enabling client to move forward with his life without any charges or potential time hanging over his head.

By the Numbers – Indian and Farmworker Law Project	
New cases accepted during the quarter	30
Total cases worked by advocates during the quarter	130

SENIOR LAW PROJECT

Case Story

The client appeared worried about her financial situation. Her husband had passed away some years before and she had struggled since to keep current with their creditors. She explained that she met her husband when they were both teenagers. They married and built a life together in the small rural area in which they lived, including building a home. Over the years they achieved very good credit standing, but after his death, she had relied on her social security and a small Nevada state pension— enough to make ends meet, but not enough to shoulder the entire debt. She said that prior to his death, they had filed a homestead declaration, and provided further details about her outstanding obligations. She wondered if she should file bankruptcy.

Counsel advised that she had the right to file bankruptcy to stop collectors from contacting her, but there were also other options available. Because she had no income besides social security and her pension, counsel reviewed the extensive list of exemptions under NRS 21.090, pointing out that she was essentially judgment proof. Additionally, counsel provided the client a letter that notified creditors to stop further collection efforts and gave her advice about filing a Claim for Exemption if any attempt was made to garnish her bank account. After due consideration, the client chose not to file her bankruptcy petition, sending letters to her creditors to cease and desist their collection efforts. For the client, this option was the better outcome for a painful legal problem.

By the Numbers – Senior Law Project	
New cases accepted during the quarter	80
Total cases worked by advocates during the quarter	189

TENANTS' RIGHTS CENTERS

Case Story

Our client contacted NLS for advice regarding an eviction. Our client advised that the landlord sent text messages asking him to move out, along with demands for increased rent. We advised that the landlord had to serve an eviction notice in order to force him out of his home and that the landlord had to provide 60 days notice of any rent increase. A week later the client came back with a non-payment of rent notice. We assisted the client draft an Affidavit opposing the eviction and raising various legal defenses to the eviction. We also assisted the client in filing the Tenant's Affidavit with the court to ensure he was not evicted prior to having his defenses heard in court.

By the Numbers – Tenants' Rights Center	
Total Cases Worked	529

VETERANS LAW PROJECT

Case Story

Patty* came to NLS from a referral from the Salvation Army's SSVF program – the Supporting Services for Veteran Families program assists homeless or at risk of homeless veterans. Her landlord served her with a 7 Day Notice to Pay Rent or Quit. Patty had applied for rental assistance from the Salvation Army but the landlord refused to accept it. Unfortunately, the eviction notice had expired by the time Patty came to NLS. The Salvation Army, though, was able to find housing for her elsewhere. NLS assisted Patty in filing a Motion to Seal the eviction because the landlord had refused the rental assistance. We attended the hearing and the motion to seal the eviction was granted. Patty can now seek alternate housing without having to disclose this eviction on any rental application.

By the Numbers – Veterans Law Project	
New cases accepted during the quarter	48
Total cases worked by advocates during the quarter	57



Access to Justice Commission March 2023 Meeting

Case Statistics: Case and Client Outcome Report Jan-Dec, 2022

Program	Count
Adult Guardianship	1258
Child Ad	1376
Consumer-Housing (General)	909
General (Misc)	1623
Immigration (General)	495
Intake	37
Jail	1282
MLP	22
Pro Bono	17
Self Help	1980
SLC	1343
Victim Advocacy	14
(blank)	23
Grand Total	10505

Closed Reason	Count
A - Advice & Counsel	1121
B-Limited Action/Brief Service	3767
Client Withdrew/Lost Contact	5
Conflict- Unable to Assist	7
Court Decision	7
F-Negotiated without Litigation	53
G - Negotiated with Litigation	22
H - Administrative Decision	54
IA - Uncontested Court Decision	357
IB - Contested Court Decision	98
Insufficient Merit to Proceed	68
Referral or Information Only	1685
Open Cases	3067
Grand Total	10505

Outreach

- NNLA had a table and participated in the Dia de Los Muertos Celebration to outreach to our community and providing information about our programs and services.
- NNLA participated in a radio interview with VARN to promote pro bono work in our area.

- NNLA has been participating in numerous outreach events at our local senior centers and Northern Nevada HOPEs, including clinics on end-of-life planning and providing a general overview of NNLA's programs and services. NNLA also participated in resource fairs put on by the AARP at one of our local libraries and another put on by the VA at the local VA hospital.
- NNLA presented to the University of Nevada Reno's Equal Opportunity and Title IX Office, providing an overview of the organization's programs and services.
- NNLA had a table at the Family Law Conference in March 2023, to promote pro bono service and engage volunteers.

Program Updates

- NNLA has been conducting clinics for Special Immigrant Juvenile Status clients and is looking at ways to continue to grow this program. In partnership with Catholic Charities of Northern Nevada, the Immigration Unit has also been participating in monthly community clinics on asylum.
- NNLA continues to operate its Housing Stability Self Help Center located at the Reno Justice Court. Pro se tenants can receive free assistance through the Self-Help Center or a direct referral from the Self-Help Center to a NNLA staff attorney, as appropriate, on legal issues affecting housing stability including, for example, all types of evictions, security deposit returns, and habitability. NNLA also continues to operate its general self-help center out of its main office and is looking at ways to expand these services.

Case Stories

- Client is an 80-year-old man. The client hired a contractor to pour concrete at his residence back in August 2022. The contractor assured the client the job would be done by mid-October. The contractor never came to client's residence again and refused to refund him the \$3,050.00 the client had given him as a deposit. On the client's behalf, I drafted a demand letter to the contractor threatening to sue him in District court if he did not immediately refund the client for services never rendered. With 48 hours of receiving the letter, the contractor delivered a money order to the client for the full sum of money.
- NNLA successfully assisted a client in defending against non-payment evictions in September, October, November, and December 2022. All the evictions stemmed from the landlord charging rent for an uninhabitable unit in August 2022. Landlord eventually settled the case (removing the illicit charges) and effectively awarded the client \$300 for the trouble.

- Tenant is a Section 8 client who states that when the new property manager took over, he was being harassed. Client states it is racial discrimination. Landlord served him violation notices for noise, etc., and told him that they are reporting him to Reno Housing Authority. In fact, landlord did so report him, and he had to engage in counseling in order not to be evicted. Next, property manager started rejecting his payments through the portal, and then denied the same.

Following this, our client returned home from being away for the weekend (on Sunday evening) and went to his car early the next morning to find that the property management had his vehicle towed. He immediately went to the office and they told him that they posted a notice on the door of the affected tenants (they were doing lot resurfacing) on Sunday morning. As client had been living there for several years, they were well aware of the make and model of client's car. NNLA filed a Complaint for Illegal Towing and the matter proceeded to hearing. Counsel for the landlord argued that tenant should have been aware of the resurfacing. Tenant's Complaint was granted and counsel for landlord had to pay towing company \$900 to release tenant's car within 24 hours.

- Mentally ill client was renting a fifth wheel trailer as his dwelling. The fifth wheel had an electrical hookup from the main house. This constituted an illegal dwelling. Nevertheless, our Client paid the tenant in the front/main house a lump sum payment for six months rent. Following this period of time, the owner of the entire property attempts to get client to enter into a lease for this illegal dwelling. After client's refusal to sign a new lease, the owner filed an eviction for nuisance. NNLA was meritorious on the nuisance. Landlord continued to file motions, which were all rejected. It seems that landlord knew that client was mentally ill, and was trying to get him to leave through agitation. Landlord then filed a no cause eviction and NNLA was successful on that eviction as well. The tenants in the front house reported the owner to the Manufactured Housing Division and owner was cited and told that our client must also vacate. NNLA worked out a settlement to allow client to stay until the end (2022) and for the owner to pay to relocate the fifth wheel that client was living in.
- Tenant was being evicted from mobile home. NNLA was able to show by filing in copies of the Manufactured Housing Title and WC Assessor detail, that landlord most likely did not have the authority to proceed as a plaintiff in the eviction case. Judge held that there were material issues of fact in dispute that would require that landlord file a formal eviction. This was a pay rent or quit eviction and judge warned landlord from the bench that even though the landlord also had a pending no cause eviction, it would be the same result until she could prove that she had the authority to proceed.



Date: January 31, 2023

To: Access to Justice Commission

From: Diane Fearon, Executive Director, Southern Nevada Senior Law Program

Re: 2022 Annual Report Summary

Highlights of 2022

Senior Law Program was able to implement a number of program enhancements in 2022 because of additional funding through ADSD related to the ARPA CARES Act available funding, funding from the Nevada Bar Foundation and restructuring organizational work flows to increase our capacity to serve seniors.

- SLP transitioned to a new case management system, LegalServer, funded by ADSD, designed to support legal aid organizations and with customization options that has generated significant operational efficiencies.
- SLP engaged a professional marketing company for an Outreach and Marketing Campaign, funded by ADSD, that allowed us to upgrade to a new website, update our collateral material, create some Spanish/English materials, supported the visibility of our program services to seniors and expanded the visibility of our program for caring attorneys to volunteer pro bono.
- SLP increased our recruitment of Senior Advocate pro bono attorneys, supported by a Nevada Supreme Court Certificate of Recognition in May 2022, which created momentum of awareness of pro bono opportunities at SLP and contained the invaluable encouragement of the Supreme Court Justices in directing estate and probate attorneys to become involved in supporting SLP in our mission. SLP was able to strengthen our pro bono recruitment efforts in December, as a result of critical funding from the Nevada Bar Foundation.
- SLP introduced Power of Attorney Health Care Clinics in June 2022, as a strategy to reduce the average 6-month wait time for basic estate planning services appointments. The clinic format provides education related to estate planning and the opportunity to have seniors complete their POAH – with 70% of clinic attendees completing this critical document. Current wait time for basic estate planning services is now 4.5-months.
- SLP became an approved agency by the UNLV School of Social Work and welcomed our first social work practicum student in August 2022, which has expanded our abilities to more holistically help our clients with legal and social services needs. This is in addition to the Boyd Law School Externs, the Northwest Career College Legal Assistant Externs, and the two volunteer attorneys (retired) who work in our office one half day each week.

Numbers for 2022

✓ Clients Served in 2022	2129
✓ Assisted Without Litigation	2017
✓ Represented in Litigation	112
✓ Participants in Clinics	435
✓ Participants at Seminars	387
✓ Placed with Pro Bono Attorneys	10
✓ Clinics with Pro Bono Attorneys	38
○ Types of Client Matters	
✓ Estate Planning	949
✓ Housing/Foreclosure	646
✓ Consumer/Finance	220
✓ Income/Public Benefits	132
✓ Guardianship	44
✓ Civil Litigation	35
✓ Real Property	17
✓ Family Law	1
✓ Other	123

Success Stories

1. Many of the vulnerable seniors being evicted are faced with extreme, unavoidable financial hardships and need time to find a new place to reside. Mr. H (72 years old) and Mrs. W (69 years old) are such individuals who never thought they would face the threat of eviction for non-payment of rent and needed assistance from SLP. The recently married couple were facing the threat of homelessness and were overwhelmed. The couple stopped paying rent because the landlord would not renew their lease after October, and they needed to save money to afford moving to another home. Throughout the appointment, the couple kept repeating “we are looking for another place we can afford,” “we cannot find anything,” and “we are not ready to leave our home after seven days.” An overarching theme amongst many tenants facing evictions, is that they want to pay their rent; however, they do not have the money to pay an increased rate, cannot afford to move, and cannot afford to stay at their current residence. Mr. H and Mrs. W had been looking for a new place, but could not find affordable housing. SLP took the time to listen to their fears/concerns, advised them on responding to the eviction notice, and eased their immediate panic of being evicted after seven days. We also provided them with housing and social services resources to ease some of the burdens surrounding their eviction scenario. Having a caring attorney listen to them respectfully and provide a legal means to stave off eviction for a period of time, they expressed that SLP was “a blessing” and “lifted an unbearable weight” from their shoulders.

2. Carmen is a 77-year-old recently widowed immigrant, who relied on her husband to handle all business matters. With her husband’s sudden death, Carmen was plunged into managing her finances and budgeting her expenses. Inexperienced in money issues and suffering from depression/suicidal tendencies, Carmen stopped paying her bills and began isolated herself from the outside world. The

anxiety over her growing financial woes resulted in Carmen refusing to open any letters/bills from her credit cards. One day while using her debit card, she noticed that \$300 in her bank account had been removed. When Carmen inquired about the missing money, her bank informed her that a credit card company had taken the money. Needing answers on how to recover the money, Carmen decided to contact SLP where our attorney then reviewed the documentation from the bank, the multitude of letters from various creditors, and researched any court cases filed against her. The SLP attorney then advised Carmen on the next steps regarding the money being taken out of her bank account and her overwhelming debt with her credit cards.

However, the legal advice is only the start of Carmen's story. While reviewing her documents, our SLP attorney, Chelsea, talked to Carmen about her life. Crying, Carmen struggled to tell Chelsea about her loneliness, issues with her cat, and loss of her husband. By listening to Carmen and not judging her circumstances, she confided in SLP and Chelsea that she cannot read English and was ashamed by her financial situation. Chelsea comforted her about her financial woes and told her to reach out to if she cannot read anything from a creditor. This offer surprised Carmen and she began to cry with gratitude. Comfortable in talking with Chelsea, Carmen inquired about various social issues she was facing, such as her inability to pay her energy bill, afford food, and car issues. SLP provided Carmen with various counseling/support services, food resources, pet resources, job options, and transportation assistance. After the interview, Carmen felt relieved and comforted by the kindness of SLP. She "had a safe space to talk to someone about her issues" and felt "strong enough" to reach out for help.

Goals for 2023

- ❖ Seek funding support to add staffing of a bilingual attorney and a bilingual paralegal, in addition to the current two SLP staff members who are bilingual.
- ❖ Increase the number of Hispanic seniors served by SLP to align more closely with the percentage of Hispanic population in Southern Nevada.
- ❖ Continue to seek improvements in how SLP collaborates with other legal aid organizations and community organizations.
- ❖ Expand the Senior Advocates Pro Bono Program with external attorneys committing to volunteer a minimum of 6 hours annually, including Spanish speaking attorneys, and increasing internal staffing to support the administrative responsibilities related to a robust pro bono program.
- ❖ Launch tri-annual "Will-a-Thon events" that utilize pro bono attorneys who are affiliated for a group activity, for example; CCBA, Young Lawyers' Section of the State Bar, Public Lawyers, etc., along with senior centers located in areas of high need, to increase the reach of legal services support to vulnerable seniors.



Family Law Self-Help Center

Year-End Report 2022

FAMILY LAW SELF-HELP CENTER

Community Resources | References & Links | F.A.Q. | Contact

Looking for something in particular? Search for it here

CUSTODY PATERNITY & CHILD SUPPORT

DIVORCE

NAME CHANGES

GETTING STARTED

- About the Self-Help Center
- Court Basics
- Fees & Fee Waivers
- Lawyers and Legal Help
- Representing Yourself In Court

GUARDIANSHIP

DOMESTIC VIOLENCE PROTECTION ORDERS

ADOPTIONS & TERMINATING PARENTAL RIGHTS

F.A.Q.

OTHER TOPICS

- Separate Maintenance
- Domestic Partnership
- Annulment
- Enforcing Out-of-State Orders
- Visitation for Non-Parents

Select Language

SELF-HELP

COURTS & CASE LOOKUP

FORMS

RULES & LAWS

CLASSES & PROGRAMS

Executive Summary:

The Family Law Self-Help Center is akin to a legal emergency room, located within the Family Court Complex in Las Vegas, Nevada. Customers are provided with guidance on the legal form they need, access to a wide variety of free legal forms, information about their court case (but not legal advice), as well as information about other community resources. In addition, the Family Law Self-Help Center maintains a robust website chock full of information and access to legal forms. See www.familylawselfcenter.org.

The Family Law Self-Help Center continues to provide hybrid services to ensure self-represented litigants can connect to staff in any way that makes the most sense to them. In 2022, the Family Law Self-Help Center served **79,514** customers, the most ever recorded.

2022 Accomplishments:

Served More Self-Represented Litigants Than Ever!

Staff provided services to **79,514** customers in-person, by phone, through email, online chat, and mail. As the following numbers demonstrate, our customers have largely returned to in-person services but are taking advantage of every available avenue to access self-help staff.

	2022	2021	2020	2019
In-Person	47,637	25,212	13,956	62,587
Telephone	23,000	31,786	50,077	0
Email	3,497	3,978	7,129	1,573
Online Chat	5,137	15,054	4,223	0
Mail	243	265	295	360
Total	79,514	76,295	75,680	64,520

Included in the numbers above are **8,640** people who sought assistance for a domestic violence protection order issue. Overall, staff assisted in processing **4,562** domestic violence protection order applications on behalf of domestic violence victims.

Even more people accessed our resources online through the www.familylawselfhelpcenter.org website. In 2022, there were 1,139,585 people who accessed the website and visited 3,387,889 pages of legal information.

Spanish Family Forms Clinic

Self-represented litigants who primarily speak Spanish have a very difficult time completing English court forms. Without proper assistance, their legal needs may go unmet since their access to the court may be severely restricted due to the language barrier.

In response to this, the Self-Help Center partnered with the Boyd School of Law's Immigration Rights Coalition to provide several Spanish Forms Clinics. Law students received training from

Self-Help Center staff in how to complete various family law forms and volunteered their time to work with Spanish speaking litigants in need of assistance to complete forms. Students received credit towards their pro bono hours and litigants received invaluable help completing forms needed for their family law matter.

The clinic took place **6** times during 2022 and served a total of **67** litigants.

EDCR 5 Updates to Forms

The Eighth Judicial District Court Rules pertaining to family court procedures were updated in June. The new rules encompassed a vast rewrite that renumbered existing rules and changed several court procedures.

The rule amendments required updates to roughly 50 different self-help center packets. Forms and instructional materials were revised to ensure accuracy of citations and accuracy of instructions in all available formats: print, online, guide and file, and live chat canned answers. These updates were completed over the course of about three months.

Volunteered for Access to Justice Committee Regarding Unbundled Legal Services Pilot Project

The Access to Justice Commission formed a committee to consider and design a pilot program for unbundled legal services in early 2022. Giovanni Andrade, the staff attorney for the Family Law Self-Help Center, volunteered to serve on this committee given his breadth of experience working with unbundled attorneys over the years.

The committee's work resulted in an ADKT approving a pilot program to permit unbundled services in family court case types statewide. The pilot program rules are designed to allow unbundled services while still protecting the public from unscrupulous practices. The pilot program is in effect for a two year trial period.

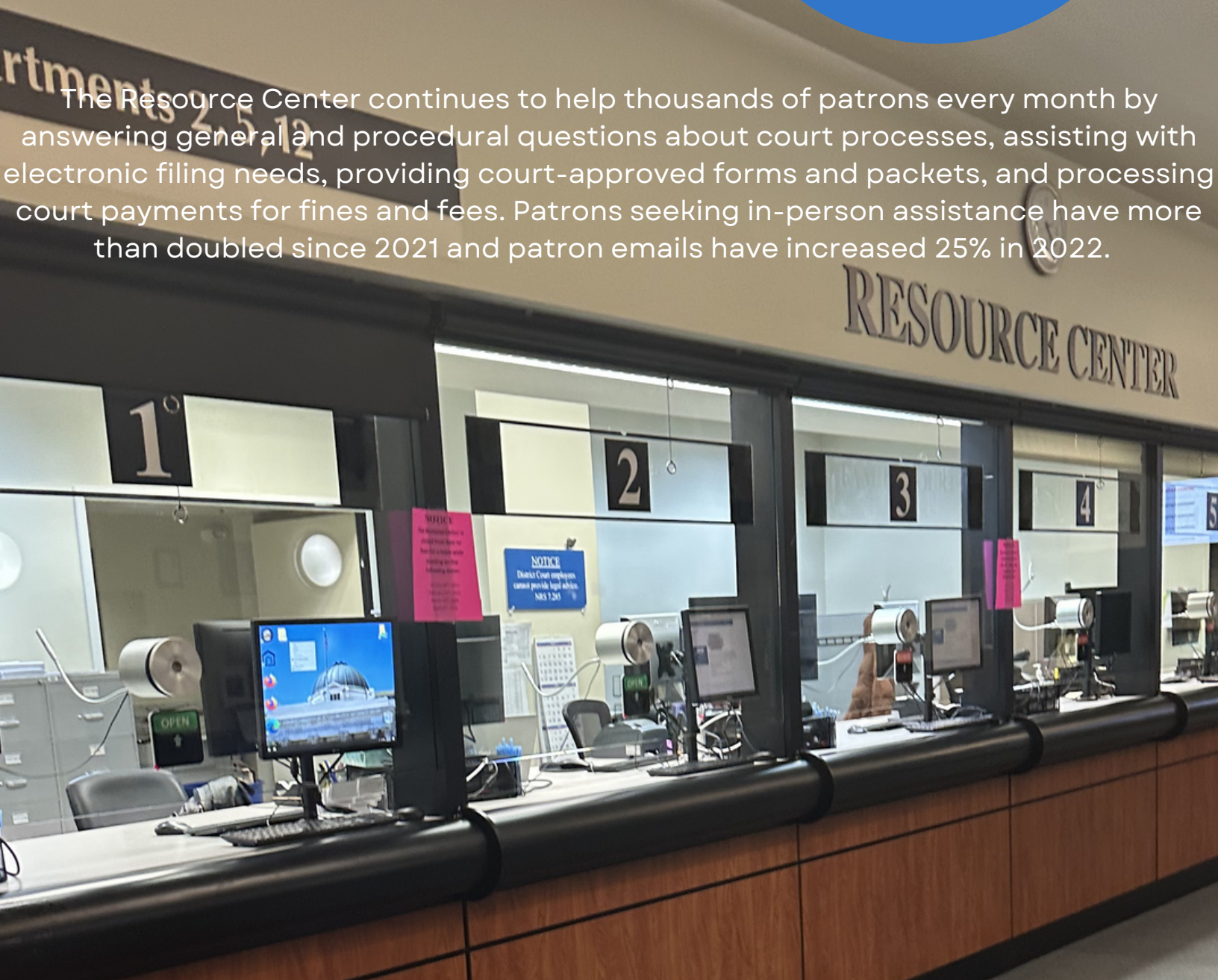
Conclusion

The Family Law Self-Help Center, managed by Legal Aid Center of Southern Nevada since 2013, wishes to thank its staff, its community partners, and its customers for their continued support. The Family Law Self-Help Center team looks forward to another year of success and growth as well as continuing to serve the Clark County community in the upcoming year.

SECOND JUDICIAL
DISTRICT COURT
RESOURCE CENTER

ATJC REPORT

The Resource Center continues to help thousands of patrons every month by answering general and procedural questions about court processes, assisting with electronic filing needs, providing court-approved forms and packets, and processing court payments for fines and fees. Patrons seeking in-person assistance have more than doubled since 2021 and patron emails have increased 25% in 2022.



2022 Totals

24,855

In person visits

27,488

Phone calls

18,733

Emails

**SECOND JUDICIAL
DISTRICT COURT**
WASHOE COUNTY LAW LIBRARY

ATJC REPORT

March 2023

The Washoe County Law Library continues to offer the Lawyer in the Library program weekly via Zoom. The program is in high demand. With a current roster of Family Law, Probate Law, and General Law, we plan to pilot a monthly Landlord/Tenant Law program beginning in April this year.

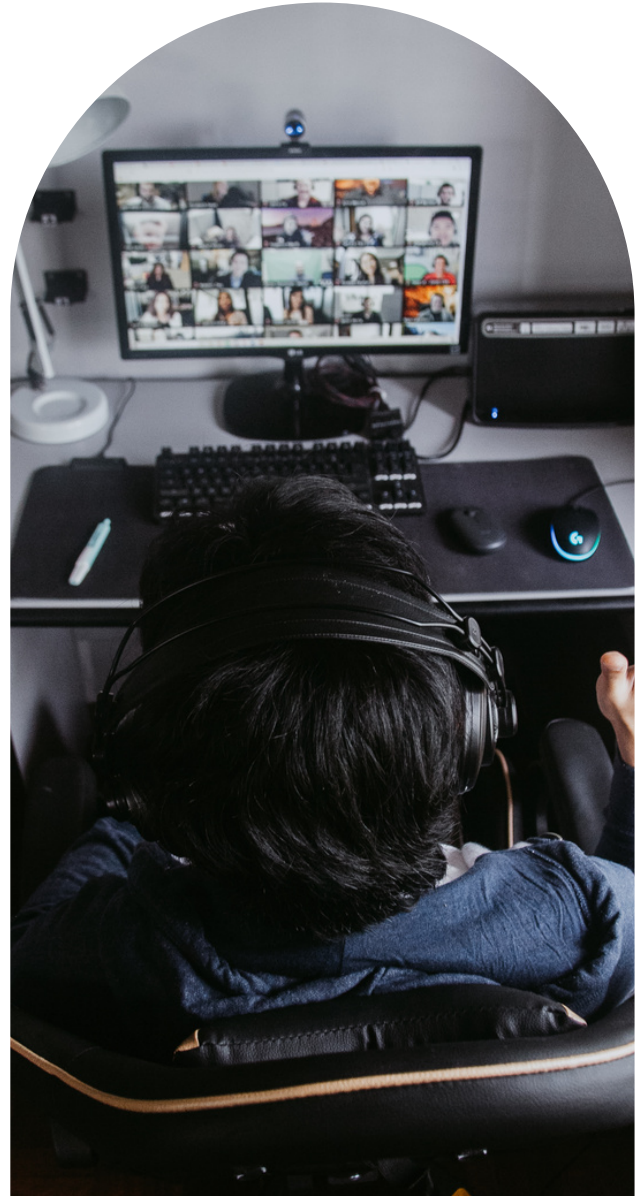
We are available to the community: in person, by phone, via email, and through live chats on the Court's website.

The new Zoom rooms we installed in the fall are heavily utilized.

We have also added remote access to our HeinOnline database, making it so all of our online databases are now available remotely, with the exception of Westlaw.

2022 LAWYER IN THE LIBRARY PARTICIPANTS

1,308



2022 Totals

17,914

In person visits

6,909

Phone calls

3,396

Live website chats

LAWYER IN THE LIBRARY PROGRAM IMPACT

A VOLUNTEER'S PERSPECTIVE

From: [REDACTED]
To: Loretz, Colton [REDACTED]
Subject: Lawyer in the Library (NRS118A.345)

Hi Colton,

My name is [REDACTED]. A few years ago, I was able to meet with you through Washoe County's Lawyer in the Library program to get advice about getting out of a domestic violence situation. You were able to help me find a clause in the Nevada revised statute that ultimately led to me leaving that relationship safely and permanently.

I wanted to reach out and thank you for your help. I have lived a much fuller life than I could have ever dreamed of, especially when I think about where I was only a few years ago. Your dedication to helping me continues to be one of the most influential interactions of my life.

I am doing well. I recently moved to [REDACTED] and plan on getting my master's degree in social work. I went to therapy for a few years and will continue doing so here. I look forward to being able to live a long, happy, and peaceful life. Thank you again for all that you did, and all you continue to do to help the people in your community. It truly is priceless.

All the best,

[REDACTED]

"I vividly recall this interaction 3 years ago where I emailed this participant separately after our 15-minute (-ish) consult-- I did so to further encourage them to implement the discussed legal strategy to escape the residential lease wherein they felt stuck cohabitating with their ex-partner & domestic violence offender. They were able to "end the relationship" but not their housing situation so they were effectively "stuck" with their DV offender. I recalled that Nevada statute clearly permits a co-tenant to terminate a lease when they are the victim of DV, which was clearly the case here. By directing the individual to the statute, this individual was empowered to use the legal tools at their disposal to escape their DV abuser and is now thriving.

It is truly amazing to see that this one LIL session was life-changing for this person. LIL literally changed their life trajectory. I am so happy to hear about their progress in life 3 years later via this unexpected email.

It is at times like this that Lawyer in the Library shines...

I wanted to pass along this gratitude that was directed toward me, as the program deserves just as much gratitude. On behalf of this participant, I wish to convey my heartfelt thanks to the Washoe County Law Library staff, the Board of Trustees, and the local judiciary for perpetuating this very meaningful community program. It has given me a path to give my time back as an attorney to those who otherwise cannot afford legal advice. Times like this really accentuate why attorneys need to take a step back from their traditional practice (and billable hours) to give back to their community via pro bono."

Colton Loretz, Lawyer in the Library volunteer since 2019

NBA November 2022 Newsletter –

The IOLTA Report: Justice for All?

Giving Thanks to Banks for Supporting IOLTA

As we approach year-end, and during this season of reflection and thanks, the Nevada Supreme Court Access to Justice Commission and Nevada Bar Foundation offer sincere thanks to the banks participating in the Nevada Interest on Lawyer Trust Accounts (IOLTA) program.

Bank interest on IOLTA is a key provider of funds, ultimately helping those unable to afford an attorney and facing critical life crossroads such as child abuse and neglect, decisions around domestic violence, protecting against the financial abuse of a senior, or benefit and safety-net services for veterans unable to access them on their own.

The return on investment of legal aid is high. In Nevada, for every \$1 spent, \$7 is returned to the economy. Legal aid helps prevent homelessness, reduces city and state spending, builds communities, and improves quality of life for all Nevadans.

IOLTA is just one of the ways banks deliver huge value to Nevada communities. Thank you for being an instrumental partner in delivering legal solutions to low-income Nevadans.

Leading Nevada financial institutions pay favorable rates on Interest on Lawyer Trust Accounts (IOLTA) that, along with court filing fees, grants, and other funding, help deliver access to justice for all Nevadans, regardless of wealth, status, power, or the ability to pay. Legal aid is how “justice for all” is delivered.

Public Awareness as of 031023 –

Since the October 26, 2022 report...

Twitter - We increased from 217,855 to 227,727 impressions and from 13,531 to 14,053 profile visits on Twitter. We encourage you to follow us ***@NevadaATJ***.

Top Tweets –

- March '23 – Off. Military Leg. Asst. Lawyer Line Earn 2 Challenge Points – 53 impressions
- February '23 – Section Pro Bono Challenge Kickoff – 211 impressions