



MESSAGE FROM THE PRESIDENT

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A Toast to Our Rural Members

Special thanks to the many contributors and authors who provided input on this month's content regarding laws related to breweries and vintners. Our rapidly growing state is a hotbed for local breweries, and the influx of new vintners is ever growing. As most can attest, growing hops or grapes in Nevada takes a unique and special level of care. A new vineyard can take up to five years before it produces its first payoff. In addition, there are numerous laws and regulations that affect brewers, distillers, manufacturers, producers and vintners. While efforts are being made to lessen certain restrictions, the industry in Nevada still has some work to do in order to compete with neighboring states.

As I spent a good portion of my youth and early adult years traipsing around rural Nevada, I can appreciate the need for a "cold one" after a long day in the hot sun. However, during my many years of practicing law, it has become apparent that the need for legal representation in the rural areas is an ever-growing problem. It takes a special person to commit to the practice of law in the rural areas. As

described in a recent ABA newsletter, a contestant on "America's Next Top Model," and former model in New York and Los Angeles, Furonda Brasfield, decided to return to rural Arkansas to practice law after graduating law school in 2015. She cited the needs of the community and a new program called the Rural Practice Incubator Project as sources of her desire to contribute to the rural communities. The goal of the project is to recruit lawyers to practice in underserved and otherwise remote areas.

It is undeniable that the opportunity for legal representation in the rural communities is wholly inadequate. Interestingly, the overall statistics related to young lawyers appear to cloud the matter. As noted in an article from Pew Charitable Trusts' Stateline, the overall population of lawyers has increased 14.5 percent since 2009, with only Alaska and Massachusetts seeing small declines. However, as noted by the ABA representatives, there is no national repository that keeps track of the number of lawyers in each county. According to a 2014 study from the *South Dakota Law Review*, only

about 2 percent of small law practices exist in small towns or rural areas. Not surprisingly, state-level data underscores the fact that lawyers tend to practice in urban areas. Meanwhile, many of the rural attorneys are entering retirement age with a lack of law school graduates to replace them.

Undoubtedly, Nevada is among those states with a dearth of legal talent in the rural areas. The individuals and small companies in our rural communities

struggle to obtain counsel to meet the most basic legal needs. While law schools across the country recognize this problem and have attempted various pilot programs, it has proven difficult to

compete with the allure of increased job opportunities, higher salaries, and more robust entertainment/social options that are part of the urban landscape. In addition to law schools, several states have been working to adopt programs that are tailored toward enticing law school graduates to establish practice in rural communities.

The results have been mixed.



Ely, Nevada

From a bend in the West Fork Carson River near Genoa, Nevada, looking towards the Pine Nut Mountains.



While the number of rural attorneys remains stagnant – at best – certain states have been working to adopt limited-scope legal services to address rural needs — such as unbundled services whereby an attorney completes only one or more specific tasks for the client (i.e., drafting a single pleading or making a single court appearance). Current ideas for future expansion of these limited services include allowing front-line court staff and law librarians to provide neutral information regarding the legal process that does not reach the level of actual legal advice.

Following this trend, Washington recently became the first state to expand the scope of limited legal service by authorizing

“limited license legal technicians” – or LLLTs. These licensed technicians can provide advice to clients on issues such as divorce, custody and other family law issues, while also assisting with court filings and certain mediation, arbitration and settlement matters.

While there is no easy answer to resolving the access to justice issue for our rural residents, it is important that we all continue to recognize the true need that exists and to offer suggestions and assistance for this basic and vital necessity.

So, the next time you are enjoying a beer, a glass of wine or simply a cold soda, remember our brethren who practice in the rural parts of our great state. These

dedicated attorneys strive to provide access to our court system for those who would otherwise have no ability to seek justice.

I leave you with one last thought about wine (given my Italian heritage): As W.C. Fields once stated, “I cook with wine, sometimes I even add it to the food.” He was a wise man!

As always, continue your support of our profession and our State Bar and continue to enjoy a safe and pleasant summer season. **NL**

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