

PRESIDENT'S MESSAGE

Home Means Nevada, Even for Those Facing Homelessness

BY JULIE CAVANAUGH-BILL, PRESIDENT, STATE BAR OF NEVADA



In recent months, Nevada has grappled with a surge in eviction and homelessness cases, making headlines highlighting the urgent need for comprehensive solutions. Reports indicate that rising housing costs, exacerbated by economic uncertainties, have pushed many residents to the brink of eviction, particularly in urban centers like Las Vegas, which is among the most-challenged cities in the U.S. facing these issues.

In the rurals, legal aid organizations and others are rising to face that challenge, highlighted by our guest contributor this month.

The numbers are astonishing, with a 16 percent increase in the number of unhoused people across the state, according to the 2023 Point-in-Time Count released in August. This group does not include those who are “unstably housed” – living with multiple family members or others. There has been a 54 percent increase in unhoused families since last year, and one report from the U.S. Department of Housing and Urban Development found that 12

percent of all youth in the U.S. who are experiencing homelessness are in Nevada – consistently one of the top states in the country for homeless youths.

The expiration of pandemic-related eviction moratoriums has further compounded this crisis, leaving vulnerable populations at risk of displacement. Advocacy groups and local officials have mobilized to implement short-term measures, such as emergency rental assistance programs, while also pushing for long-term policy reforms. The Movement to End Youth Homeless in Nevada started off as a movement for youth homelessness in southern Nevada but has now expanded to tackle the issue statewide, recognizing that comprehensive solutions are needed.

The dynamic interplay between legal, economic, and social factors underscores the complex nature of this issue, calling for a multifaceted approach that prioritizes compassion, community support, and sustainable housing solutions. This issue of *Nevada Lawyer* explores several aspects of legal practice that play into this dynamic.

For example, Chad Pace’s article looks at recent changes to Nevada law passed in the most recent legislative session designed to address the need for more low-income housing throughout the state. Aaron MacDonald gives a personal perspective on how Las Vegas’s Eviction Diversion program works to keep challenged individuals in

their homes. Michael Oh and Bethany Sanchez explore recent court rulings and government strategies that have changed the way the legal community can help those faced with homelessness. And you can earn a CLE credit by reading Drew Wheaton’s article about summary eviction and common defenses commonly recognized by Nevada’s justice courts. Finally, don’t miss Judge Gregory Gordon’s article on self-represented litigants. He provides an overview of the legal, practical, and ethical issues that judges face when working with pro se litigants in the courtroom.

Nevadans are stepping up to the plate – the Nevada County Board of Education has named November “Homeless Youth Awareness Month” – and although November has passed, the need continues. What can we, as attorneys, do to help?

Volunteer for one of our legal aid and other providers servicing these families, children, and individuals in our communities; donate to our food banks, emergency housing, and homeless shelters; or simply take the time to pay attention to those around you and become aware of the issue by reading the articles in this issue as well as the plethora of information available online or through your news source.

From personal experience as a Red Cross and Meals with Dignity volunteer, I know that there is no greater feeling than helping those in need. Even though this service takes us out of our normal routine and requires some time from our personal or professional schedules, volunteering has no equivalent in terms of providing wellbeing and immediate gratification. Those struggling are our neighbors and fellow Nevadans – let’s work together to make Nevada a leader in tackling homelessness – even if it is one meal or one case at a time.

Once again, *Nevada Lawyer* explores some of the most topical facets of legal practice in our state. I invite you to read and share these articles with your colleagues. And if you have questions about any issue germane to our work as a state bar, I invite you to write me with your questions and ideas. Please email me at president@nvbar.org. Thank you.

SPOTLIGHT ON THE RURALS:

Resources for Unhoused Individuals in Rural Communities

BY ALEX CHERUP, DEPUTY EXECUTIVE DIRECTOR, NEVADA LEGAL SERVICES

Although the affordable housing shortage is often discussed as an urban problem, lack of access to safe and stable housing is an issue that impacts Nevadans in every county, including rural and frontier communities across the state. In the 15 counties of the Rural Nevada Continuum of Care, 410 individuals were experiencing homelessness during the 2023 point-in-time count, of which 23 percent were veterans. See Rural Nevada Continuum of Care 2023 PIT Report. Additionally, a number of unsheltered Nevadans live in rural portions of Clark and Washoe counties.

Unhoused individuals in rural communities face unique challenges, including a lack of public transportation, isolation, scarce social service resources, and few housing or shelter options. To help address the challenges faced by unsheltered rural Nevadans, Nevada Legal Services and local social service agencies work together to provide dynamic representation and assistance to remove barriers to service and help them move toward long-term stability.

Connecting with Resources

Nevada Legal Services (NLS) uses a community-based lawyering approach to help rural and frontier communities connect with resources and bridge the gap that frequently exists between legal services providers and the communities we serve. Community-based lawyering is a model of legal services where lawyers work with non-legal professionals and service providers to address the range of needs confronting unsheltered Nevadans and their families to create holistic solutions that extend beyond a client's specific legal issue. In rural communities, this requires an intentional collaboration with the

social service providers and nonprofit organizations serving the area. Often, because of the limited resources and isolation in rural communities, an individual is not aware of the services available, and community-based legal representation at our office connects the individual with these services. For example, NLS may facilitate access to affordable housing resources and rental assistance for a client in addition to providing pro bono legal assistance to address an underlying tenant's rights matter.

Connecting with the Community

Another aspect of the community-based lawyering approach is the increased presence of lawyers in the community. Unhoused individuals in rural communities often need help accessing internet services and transportation, making it difficult to receive legal assistance. Accordingly, our advocates participate in outreach that takes us out of our offices to meet clients where they are. For instance, to better serve rural counties across the state, NLS consistently facilitates outreach events at outlying senior centers and other locations where individuals can meet with a lawyer and receive same-day services or complete an intake application to request assistance with a more involved matter. These outreach efforts also allow legal advocates to learn more about the community's needs.

Mitigating Homelessness through Legal Services

NLS assists with various legal issues that significantly impact housing stability, including eviction and criminal record sealing, tenant's rights matters, and access to benefits.

One of the most powerful methods for decreasing homelessness is preventing avoidable evictions. Rural communities often have different structures for self-

help forms, and the distance to the courthouse is often substantial. For instance, to appear or file a Tenant's Affidavit in court, travel may take up to an hour in certain communities, and many jurisdictions do not have E-filing available. These barriers make self-representation extremely difficult, if not impossible, for many rural residents. Providing legal representation in rural communities ensures the rights of vulnerable residents are protected and helps to reduce strain on limited social services resources.

For those who are already unhoused, exiting homelessness is particularly difficult when the individual has a prior eviction or criminal charge on their record (often directly related to their unhoused status). Sealing eligible records, which can only be accomplished through a formal petition and court order, increases opportunities for housing and employment. Additionally, proper access to unemployment benefits, SNAP food stamp benefits, Medicaid services, veteran's benefits, and Supplemental Security Income are crucial to maintaining or accessing housing for low-income individuals.

However, it is often very challenging for rural residents in need to navigate applications or challenge wrongful denials/terminations of benefits given the limited resources available in the area. By providing representation in matters concerning veteran's benefits and social safety net programs, NLS is able to increase financial stability for modest means households.

NLS is proud to support Nevada's rural residents. To learn more about our services, volunteer, or refer an individual in need, please visit www.nevadalegalservices.org to find the closest NLS office.