

# Boyd Law School Working to Address Rural Legal Services Provider Shortage in Nevada

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Throughout the U.S., there are “large stretches of rural areas and counties with few lawyers in them” and, therefore, a lack of access to legal services.<sup>1</sup> These areas are referred to as legal deserts. Nevada is no exception. Most of the lawyers in Nevada are located in the urban counties, like Clark, Washoe, and Carson City, which have 6.26, 2.73, and 3.56 attorneys, respectively, per 1,000 residents.<sup>2,3</sup> Rural counties have far less access to legal services. In some rural counties like Lyon, Mineral, and Nye, there is less than one attorney per 1,000 residents. The need is even greater than represented by these numbers, because some of those attorneys are government attorneys who do not provide private legal services to rural residents.

The William S. Boyd School of Law at UNLV is actively exploring innovative solutions and implementing measures to contribute to increasing rural access to legal services in Nevada. There are a variety of ways that law schools can encourage law students to serve rural communities, including raising awareness of legal issues and needs that are unique to rural communities, encouraging (and even incentivizing) attorneys to relocate to rural areas and counties, and making it possible for law students to obtain a legal education without leaving their homes, families, and communities. Boyd has implemented a number of these measures, including a pipeline program, a paid rural externship program, the incorporation of the legal issues and needs of rural communities into law school classes, and a task force on the accessibility of legal education.

## Faculty Engagement and Curricular Design

Boyd faculty are engaging with rural issues through work with relevant entities and curricular design. Professor Rachel Anderson serves on the Nevada Supreme Court’s Access to Justice Commission. Associate Dean Eve Hanan was selected by the parties in the *Davis* lawsuit to serve as the monitor for the consent judgment.<sup>4</sup> She also works closely with the Nevada Department of Indigent Defense Services (DIDS) and has

written 11 reports on DIDS compliance activities. Professor Bret Birdsong has also served as deputy solicitor for land resources at the Department of the Interior in Washington, where he led a team of lawyers for the Bureau of Land Management, which manages 70 percent of the land in Nevada.<sup>5</sup>

Rural issues arise in many Boyd classes and a few examples are included here. Birdsong teaches Public Lands and Natural Resources, which examines some of the major natural resource issues, including minerals, timber, range, wilderness, and threatened and endangered species. He also teaches a class that requires field work in various parts of Nevada. Professor David Tanenhaus's Juvenile Law course includes materials on juvenile justice and indigenous youth. A juvenile protection officer/truant officer from Nye County comes to his class to discuss their work with children and families in rural parts of the state. Professor Addie Rolnick covers issues related to rural tribal courts, and Nevada tribes in general, in her class, Tribal Law and Governance. In addition, Rolnick teaches about rural law enforcement in her class, Crime and Justice in Indian Country.

In Professor Lori Johnson's Professional Responsibility class, she often leads discussions about the lack of counsel available in rural jurisdictions and the increased potential for various ethical issues, including conflicts, competence, prosecutorial misconduct, and judicial recusal. The author's Poverty Law & Policy Clinic incorporates needs and issues in rural and tribal communities. Professor Benjamin Edwards addresses land issues in his Property Law class. In Professor Marketa Trimble's International Intellectual Property class, they discuss in detail geographical indication protection – e.g., Nevada wine – and its role in the development of rural areas as well as the development of businesses, including small businesses and businesses in rural areas. Professor Keith Rowley addresses rural issues like livestock, farming, ranching, and rural property transactions in the cases and problems used in his Contracts, Sales

& Leases, and Secured Transactions classes. A highlight of Boyd's curricular design is the rural externship program discussed below.

### Rural Externship Program

Working together with Boyd, DIDS has created a rural externship program for Boyd students. Rural externships are part of the Samuel S. Lionel Externship Program, which is led by Professor Dawn Nielsen. Participants in this annual program participate in a 10-week program that introduces Boyd students to public interest law practice in a rural area or county. Participating law students receive a stipend to support their relocation and participation in the program. For the first two years, the State Bar of Nevada funded the stipend. Now, the grant is funded by DIDS after approval of funding by the Interim Finance Committee.

Law students who receive the DIDS's summer stipend and enroll in the externship course receive an additional Samuel S. Lionel Fellow Summer Scholarship to pay for the cost of summer credits. The stipends help law students offset the costs of relocating and living in a rural area or county for eight to 10 weeks during the summer. Since Summer 2022 when the rural externship program was created, law students have been placed with the Elko County Public Defender, State Public Defender, Lincoln County District Attorney, and Churchill County Public Defender.

### Law Student Engagement

Student organizations are also engaging in rural outreach. The Latino Law Student Association at Boyd offers an access point to legal education, mentoring and support. This program is a "national recognized and award-winning" four-layer mentorship program

that pairs a high school student, an undergrad, a Boyd law student, and a local J.D. holder.<sup>6</sup> The program brings students to the law school for three days to observe and experience legal education and covers all of the costs with a grant. The program operates throughout Nevada. For example, the last cohort of 20 students included several students from rural counties.

### Task Force on Making Legal Education Accessible to All Nevadans

In fall 2023, Dean Leah Grinvald created the task force on Making Legal Education Accessible to All Nevadans. Grinvald charged the task force with exploring whether and how Boyd

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could provide accessible legal education to all Nevadans by reaching into communities whose members are unable to attend law school without having to relocate, leave their families, or cease their employment. The task force members are Anderson (chair), Assemblywoman Shea Backus, Birdsong, Julie Cavanaugh-Bill (current president of the State

Bar of Nevada's Board of Governors), Justice James Hardesty (ret.), 3L student Rodolfo Hernandez Camacho, Mercedes Krause, Senator Rochelle T. Nguyen, John Ocegüera, Professor Lena Mancini Rieke, and Assemblyman Toby Yurek. The task force is expected to complete its work and issue a report by the end of June 2024. Following the completion of the report, which will include recommendations, the next step toward implementation would be for the dean to charge the Boyd faculty's Curriculum Committee to take up the matter.

Law schools have an important role to play in addressing the issue of legal deserts in rural areas in their states. By providing students with practical experience and education in rural law, developing pipelines, and creating

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initiatives that support and encourage students from rural areas and counties, Boyd is playing an important role in bridging the gap and ensuring that all Nevadans, regardless of whether they live in an urban or a rural county, have access to quality legal representation.



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## ENDNOTES:

1. American Bar Association, "Legal deserts threaten justice for all in rural America," Aug. 3, 2020, <https://www.americanbar.org/news/abanews/aba-news-archives/2020/08/legal-deserts-threaten-justice/?login>.
2. American Bar Association, "ABA Profile of the Legal Profession 2020, July 2020," <https://www.americanbar.org/content/dam/aba/administrative/news/2020/07/potlp2020.pdf>.
3. Soval Solutions, LLC, "Addressing the Rural Indigent Defense Service Provider Shortage in Nevada," prepared for the Nevada Department of Indigent Defense Services, 6 Feb. 2023, <https://dids.nv.gov/uploadedFiles/didsnvgov/content/litigation/Rural%20Attorney%20Recruitment%20-%202022-23.pdf>.
4. *Davis v. State of Nevada*
5. Henry Brean, UNLV professor to lead BLM public lands legal team, July 9, 2013, <https://www.reviewjournal.com/local/local-las-vegas/unlv-professor-to-lead-blm-public-lands-legal-team/>.
6. William S. Boyd School of Law website, La Voz, <https://law.unlv.edu/students/student-organizations/lv>.



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