

“THE OUTTA TOWNERS”

BY VALERIE J. COONEY, ESQ.



A few years ago I wrote an article for *Nevada Lawyer* about our organization, Volunteer Attorneys for Rural Nevadans (VARN), describing who we are and what we do. I hope that, over the past several years, folks have come to know VARN as a legal services organization, and that readers in Nevada's rural communities know we provide direct legal services and pro bono services and offer legal clinics and training.

Since I am often asked what it's like to be a traveling attorney, I thought I'd write about some of the lighter aspects of practicing law as an "out-of-towner," and out of the back of my car, as it were. My work for VARN over the past eight years has allowed me to travel thousands of miles in the rural parts of our state. It has also introduced me to some of the best residents of our state – some of the most caring, gracious and generous people I know. In my view, rural Nevada is the soul of our state, with gorgeous, spectacular open spaces and, although I get the feeling from some that I'm considered an interloper taking work away from local attorneys – the truth is that there is simply too much work to be done to worry over such criticism.

Providing direct legal services requires travel any way you slice it, often to distant locations, many with few inhabitants, some with interesting names and colorful people and history. Early on, I realized that traveling in winter was best done in a four-wheel-drive vehicle that can maneuver in snow and the mountains. I bought a Dodge Cummins diesel pickup and loaded the back with windshield de-icer, window scrapers, a shovel, broom, flashlights and warm clothes. My husband, not sure that I had enough protection when traveling alone over fairly expansive areas and often at night (hoping to get home to avoid spending another night in a motel), bought a car with OnStar, a GPS and its own telephone. Now if bad weather, bad drivers or bad luck strikes, I have a better chance of getting help quickly.

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During my travels I’ve also located all of the “important” stops on the highways. I feel fairly certain that I know where the cleanest restrooms are, where and when to stop for fuel, and where the ramp roosters (NHP) hide. I’ve learned where the “only” place to eat is when looking for something other than the ever present mini-market, McDonald’s and Taco Bell. I’ve also learned when it’s necessary to travel to a neighboring town to spend the night.

Finding a hotel I’m comfortable staying in can be tricky and sometimes a challenge in remote hamlets. Of the handful of motels in some towns, only one or two are what I would call comfortable and some are really not habitable by my standards. If the motel has no Internet access, I may get lucky and find a weak signal from a nearby business. I’ve also found that, in some towns where mining is enjoying a rebirth, the better hotels are overtaken by geologists and other soil specialists. These hotels are literally converted into boarding houses with residents (living together for weeks or months), who leave doors wide open during the weekends, play ball in the hallways in the evening, visit in each other’s rooms, share a beer and set up barbecues and lawn furniture in the parking lot. A softball

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PRO BONO PROFILES

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CHRISTIAN HALE

I am one of several local attorneys who volunteer time at Nevada Legal Services’ Tenant’s Rights Center. The center provides low-income residential tenants with legal information to help with landlord disputes and eviction proceedings. Volunteer attorneys typically provide legal advice to the center’s clients in a walk-in clinic setting or by telephone. Much of my pro bono work involves helping tenants seeking clarification of their rights under rental agreements and helping them understand the eviction process or contesting a wrongful eviction. Issues may also involve disputes over late fees owed, return of a security deposit, or recovery of personal property left inside the leased premises. Attorneys can also advise center clients on addressing habitability concerns and when the withholding of rent is permissible. Recently, the center has seen a marked increase in tenants, previously unaware that the homes they were renting were in the foreclosure process, suddenly faced with eviction. When an eviction is pending, the tenant has only a limited amount of time in which to contest that eviction, and attorney expertise is always appreciated in assisting those members of our community faced with the prospect of such a loss.

Christian Hale is an associate at Lionel Sawyer & Collins. He is a member of the business law department, where his practice includes debtor/creditor issues, common-interest community real estate matters, guardianship and trust litigation.

AMY HONODEL

Many times, the outcome of a hearing or status check has very little impact on my civil litigation clients’ lives. It’s very rare that I call a client and explain to them that the Discovery Commissioner has continued a deadline or a judge has granted a motion. However, I recently had the privilege of telling two clients, who are eight and ten years old, that they were going to see their mother again after a status hearing. When I first met my clients, they were reluctant to share their feelings and wishes with me, but they readily and repeatedly recited the precise date they were removed from their family home. Their faces lit up like the light on top of the Luxor when I shared the news with them. By the time this note is published, my clients will have returned home and will be well on their way to being normal school-age boys again. I do not expect to be involved with my young clients through the Children’s Attorney Project much longer.

My previous CAP assignment “aged out” of the system. I represented a young man after his aunt left him at Child Haven at the age of 13 until he was set up in an apartment of his own. His case followed me from firm to firm to firm; when his wardship was terminated, I was the only person in the courtroom who had been with him throughout those seven years. While that fact is saddening, it was more rewarding than any other victory I achieved in my eight years of practice, for me to realize I had been that foundation in his teen life.

There are many reasons lawyers do pro bono work; the stories above are why I like serving as a volunteer through the Legal Aid Center of Southern Nevada.

Amy Honodel is a partner at Chasey Honodel PC. Her greatest challenge and achievement is her six-year-old son, Cameron, who likes to remind his mom to “stop freaking out” when they are in large, crowded shopping centers.

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BILL CURRAN



Pro bono work is a valuable service that benefits not only the disadvantaged but the legal system and the community at large. It is also very fulfilling to the individual attorneys who perform the service. Beyond the satisfaction of helping the disadvantaged, pro bono service enables big-firm attorneys to have hands-on experience with real people, with problems that may be very different from those they deal with on behalf of corporate clients.

I have represented organizations for the homeless in zoning matters, taught classes on small claims court, participated in Ask-A-Lawyer programs for senior citizens, helped low-income citizens claim earned income tax credits from the IRS, counseled clients in a landlord-tenant clinic and performed legal work for the United Way. The needs of the disadvantaged are wide ranging. There is a niche in which virtually every practitioner can make valuable contributions, regardless of how far an attorney's area of specialization is from what is typically thought of as poverty law.

Bill Curran is the managing partner of the Las Vegas office of Ballard Spahr LLP. He is a former president of the State Bar of Nevada and has served on the Board of Governors of the American Bar Association and as chairman of the Nevada Gaming Commission.

DANIEL BONNEVILLE



Pro bono work for Washoe County Legal Services has been a real eye-opener and a tremendous growth experience. The cases are every bit as difficult as any other case; the main difference between pro bono and non-pro bono clients is their pure optimism and certainty that things will get better. As with bankruptcies in general,

pro bono clients straddle all segments of our society. Many are highly educated, and some had salaries in the low- to mid-six figures just three years ago. That's been my biggest surprise: the magnitude and reach of this economic collapse, and its effect on so many hard-working families.

The second thing I've learned is there is nothing easy about bankruptcy law, and there is no place for arrogance. I also want to give special thanks to Kevin Darby and Harold Comanse for their help and guidance.

Daniel Bonneville spent six years in the U.S. Navy as an Aviation Electronics Technician, and three-and-a-half years in Guantanamo Bay, Cuba, prior to attending Oregon State University for Chemical Engineering. He received his J.D. through Thomas Jefferson School of Law, and became a member of the State Bar of Nevada in October 2008. He loves spending time with his eight-year-old son and his only hobby is lumberjack sports.

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game may be going on in the alley or rear of the building on Sundays.

Regardless of my destination, I carry certain essential items when on the road. In addition to my files, laptop, portable printer, suitcase and, perhaps, a hanging clothes bag, I pack a soft-sided ice chest. The ice chest keeps things cool and is compact and easy to lug up stairs. Certain essentials are always included. I carry fresh, ground coffee, filters and a glass coffee mug. I don't like drinking coffee, especially good coffee, out of a Styrofoam cup. I also carry plenty of bottled water and a sturdy plastic drinking glass. When able, I'll buy a roast chicken or pre-made salad for dinner and eat it in the room, so I carry a salt and pepper shaker, and a knife, fork and spoon. And tissue – I carry tissue; the stuff in some hotels is like recycled copy paper. Finally, and probably most importantly, I throw a down pillow and warm fuzzy blanket into the car. These help me sleep a little better in a strange place.

“While travel is time-consuming, it is usually enjoyable.... Travel is travel, though, and the time spent on the road is not productive when compared to time spent in the office.”

While travel is time-consuming, it is usually enjoyable. If you are moved by wide open places, endless skies and nature, traveling can at times be stirring and inspirational. The trips that are the best usually involve brilliant skies brimming with cloud formations, hills and mountains at 360 degrees with colors that radiate. Watching an oncoming storm, cut through with electrical bolts from heaven to hilltop, an immense purple, red and orange sunset, or a huge yellow moon propped up by the horizon provide a spectacular view. In the spring, the desert and mountains glow green, while wildflowers color the hillsides and valleys. One of my favorite sights is of wild horses with spring foals running side-by-side with the mares.

Travel is travel, though, and the time spent on the road is not productive when compared to time spent in the office. Just about any appearance outside of the Carson City, Storey and Douglas County areas requires a half-day commitment. Most travel really takes at least a full day. Driving from Carson City to Yerington or Fallon takes an hour and a half with current traffic through Carson, Mound House, Dayton and Silver Springs. If rain, snow, fog, sand storms or road construction is expected, an early start is necessary.

"The ability to represent clients from a distance has improved over the last three or four years."

Travel to Elko from our office, in good weather and with no road construction, will usually take four-and-a-half to five hours. Those of you who have traveled Highway 80 east of Reno during the past year have seen the miles and miles of orange barrels that line the roadway, turning two lanes into one and slowing travel considerably. On these trips I frequently make stops in Lovelock, Winnemucca or Battle Mountain to touch base with program staff members, meet with clients and attorneys or to review court files. Given travel time alone, these trips generally require a minimum of three days and two overnight stays. Travel to Ely on Highway 50 east can seem longer, the road is uphill most of the way, cutting through beautiful mountains while taking travelers over nine passes.

Overall, the ability to represent clients from a distance has improved over the last three or four years. In the early days of our domestic violence programs, attorneys and judges in the rural jurisdictions had little experience with VARN. I recall well when local attorneys looked at me when I introduced myself in the courthouse, while waiting for the case to be called. "You're who, from where, and you represent whom?" We were considered foreigners for a few years, and local attorneys seemed to relish saying such things as "counsel, this is how it is done out here" and "our judges don't do it that way," or "you can't do that out here." This view has changed. Most local attorneys now know what VARN is, what we do, that we litigate cases according to the local rules and that we are very familiar with local practice and procedure. I can say that most of my counterparts in the rural communities are professional, cooperative and even appreciative of the work we do. ■

VALERIE J. COONEY is the executive director of Volunteer Attorneys for Rural Nevadans and has practiced law in northern and rural Nevada for 22 years.

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DAVID MANN

"There is no one to help me – I am alone." This is the most common comment at the Ask-A-Lawyer program at the Family Court. It appears in a variety of forms: "No one cares," "My baby has no one but me," or, "I am abandoned."

I feel a special sense of thankfulness when I am able to guide someone to the correct pleadings or processes. Not only does this have the real effect of providing a legal service, but the participant also gets that little extra lift through knowing that there are people who care about their circumstances. That may be just the lift they need to help them through a difficult time.

Like all of my attorney friends, I am busy with a full schedule – I make time because I can't bear the thought of someone feeling alone, waiting in line, seeking help, and then facing an empty room because no attorney was there to help. I can absolutely say that attending Ask-A-Lawyer will be very rewarding for any attorney and for those participants who feel alone.

David Mann, Esq., is the founder of Mann Law Firm, which is dedicated to helping those in need in all family law matters ranging from simple pro bono motions to complex litigation. Mann received the 2009 Ask-A-Lawyer Community Commitment Award. He can be reached at Legal@AttorneyDavidMann.com. ■

