



Nevada Supreme Court Access to Justice Commission

Meeting - Friday, March 22, 2019 2:00 PM – 4:00 PM

Videoconference Sites:

Las Vegas
NV Supreme Court
Conf. Room A & B

Carson City
NV Supreme Court
Law Library, Room 107

Reno
2nd Judicial District Ct.
75 Court Street – Room 214

Elko
4th Judicial District Court
Room 214

Call-in Info:

Dial In: 1-408-740-7256 / Participant Code: 111-001-1234

(Internal use only: Room System 199.48.152.152 or bjn.vc)

Meeting Agenda

- | | | |
|--|-------------------|--------------|
| I. Opening Statements from Co-Chairs
& Commission Roll Call | 5 minutes | |
| II. Consent Agenda | 5 minutes | Tab 1 |
| <ul style="list-style-type: none">Approval of November 9, 2018 Commission Meeting Minutes | | |
| III. Discussion Items | | Tab 2 |
| <ul style="list-style-type: none">Nevada Civil Legal Needs Assessment | 60 minutes | |
| <ul style="list-style-type: none">Justice’s Letter to LegislatorsCommunications Plan and BudgetPriorities to be Accomplished | | |
| <ul style="list-style-type: none">IOLTA Rate Discussion | 20 minutes | |
| <ul style="list-style-type: none">Eviction Clinic Discussion | 10 minutes | |
| <ul style="list-style-type: none">Commission Membership Nominations | 15 minutes | |
| <ul style="list-style-type: none">New Rule, New System, Scheduled Approach, Votes | | |
| IV. Reports | 5 minutes | Tab 3 |
| <ul style="list-style-type: none">Electronic Filing by Non-Lawyers – Judge Joanna Kishner (TBD) | | |
| V. Other Business | | |
| VI. Informational Items | | Tab 4 |
| <ul style="list-style-type: none">Legal Aid Provider Highlights & Quarterly Meeting RecapNevada Supreme Court Legislator Letter on Legal Needs Study<i>Nevada Lawyer</i> Article “Your IOLTA Account: What You Might Not Know” | | |



Nevada Supreme Court Access to Justice Commission

Meeting - Friday, March 22, 2019 2:00 PM – 4:00 PM

- Commission Highlights
 - Meadows Bank IOLTA Rate Increase
 - Nevada Bar Foundation Liaison Meetings with IOLTA Banks Wells Fargo & Umpqua Bank
 - Family Law Section ONE Campaign Pro Bono Thank You Event
 - Family Law Conference
 - ABA Midyear/National Association of IOLTA Programs
 - Pro bono survey actions plan
 - Nevada Bankers Association SaverLife Financial Education Partnership
 - Justice Douglas Retirement Dinner
 - ATJC New Facebook Page
- IOLTA Highlights
 - Rate Review Subcommittee Call Recap 1/14/19
 - IOLTA Summary
- Self-Help Center Statistics
- Appellate Law Pro Bono Program
- AG Military Pro Bono Program
- State Bar of Nevada Annual Report
- Nevada Bar Foundation Annual Report
- Public Awareness

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

Internal tech: <https://bluejeans.com/111>



ACCESS TO JUSTICE COMMISSION

Access to Justice Commission Meeting Minutes
Friday, November 9, 2018 – 2:00 p.m.

Commission Members Present

Justice Michael Douglas
Justice James Hardesty
Connie Akridge
Latoya Bembry
Julie Bobzien
Randy Boesch
Julie Cavanaugh-Bill
John Desmond
Doreen Spears Hartwell
Annamarie Johnson
Judge Joanna Kishner
Joseph McEllistrem
Noah Malgeri
Megan Ortiz
Judge Tammy Riggs
Judge Bridget Robb
Judge Connie Steinheimer
Anne Traum
Adam Tully
Sugar Vogel
Judge Nathan Tod Young

Guests Present

Bailey Bortolin
Phyllis Gurgevich
Justin Iverson
Shelly Newton
Emily Reed
Olga Torres
Summer Youngquist

Staff Present

Brad Lewis



Call to Order/Roll Call/Minutes

The Access to Justice Commission meeting was called to order. A roll call was conducted and approval of the June 15, 2018 minutes was requested. The minutes were unanimously adopted with no changes. Brad welcomed the new member prospects.

LACSN Melanie Kushner Fellow Presentation

A new tradition, now in its second year, is for the Access to Justice Commission to hear from the Legal Aid Center of Southern Nevada Melanie Kushner Fellow. Each year a law student is accepted for the fellowship with a focus on learning more about legal aid, but also investing time in a project that will further access to justice. Olga Torres, the 2018 winner, shared her experiences and outlined highlights of the preliminary work on creating a mobile application she proposed and continues under development. The app concept is to facilitate attorneys accepting and managing pro bono cases.

2017-2018 Nevada Civil Legal Needs Assessment

It was shared that the legal needs assessment was preliminarily released and that final components are being assembled, mostly for fundable initiatives, appendices and specific local information sought by legal aid providers. The focus of the Commission and legal aid providers has now turned to translating the findings into action. Several meetings were held with the providers to develop a four page document which was reviewed. It outlined the opportunities and potential actions in detail and feedback was sought from the Commission. The actions document is available upon request.

The ensuing discussion was focused on how to share the findings widely with not only the general public and other target audiences, but with elected officials. It was discussed that a brief overview of the findings should be shared, including in-person if appropriate, which would include an overview with an “ask”, and that the ask might be financial and/or for specific support, perhaps legislative support. Specific ideas included funding for Child Advocacy Programs, more legal aid attorneys, or advertising. It was discussed that the findings should be shared with selected city, county, and state officials, including Attorney General Ford and his team. It was felt that Bailey Bortolin and/or Barbara Buckley should get to Attorney General Ford soon. Also, certain judges in various judicial districts should get outreach.

For “in-person” meetings, the example of meeting with county commissions was floated. It was suggested that Bailey Bortolin, the statewide advocacy, outreach, and policy director, work with Brad to coordinate messaging and any support request(s). It was suggested that each legal aid provider should leverage the findings in support of continuing or expanding program funding. It was noted that we should investigate how the Justices may be able to appropriately support the effort.

Other examples of specific recommendations for consideration included sharing the study information quickly v. specifically, using select attorneys and lobbyists as an “influence team”, and sharing information with local bars (Clark County Bar Association, Washoe County Bar Association, etc.), specialty bars, and State Bar of Nevada sections.



This led directly into a discussion of the media plan. A sub group of the study working group gathered on several calls and for one in person meeting. The group was joined by new Commission member Latoya Bemby, director of public relations from The Ferraro Group. Ms. Bemby shared highlights of the media plan, including target audiences, and made a request for a small budget to support a communications plan throughout 2019 since there is so much information to share. This would support efforts including an animated “explainer” video series targeted to various groups to explain what legal aid is and the value it returns. Additional ideas include a new Facebook page, using Facebook Live for remote Ask-A-Lawyer sessions, holding legal aid open houses, and a small media budget mostly for social media promotions. Connie Akridge, president of the Nevada Bar Foundation, suggested that a submitted grant would be looked upon favorably. It was further shared that The Ferraro Group would be taking on the Commission as a pro bono client. An “elevator speech” should be developed.

IOLTA Rate Review

The Nevada IOLTA interest rate was discussed. The Rate Review Memo was touched on (available from the Access to Justice Commission) as was the recent recommendation from the Nevada Bankers Association (NBA) which suggests a potential new approach to how IOLTA is handled in Nevada. A brief discussion ensued including a note that we seem to be entering a new rate environment. Justice Hardesty suggested that due to time constraints, we should convene the Rate Review Committee early in 2019 to review and discuss the NBA memo. He further suggested retaining the current Nevada IOLTA interest rate at .70%. A vote was taken and passed unanimously.

The Commission continues to spearhead meetings with Nevada IOLTA-participating financial institutions with liaisons from the Nevada Bar Foundation. Findings of the legal needs study have been shared and a number of items have been discussed, including a potential Partnership Bank Program. The first meeting to produce a result was with Bank of Nevada. In follow up, Bank of Nevada agreed to increase rates paid on Nevada IOLTA by 50 basis points. They are paying 1.2% interest as of September 1, 2018.

An item included as a suggestion from NBA is that we trial their financial education program through legal aid providers, perhaps connected with bankruptcy or other education classes. It was shared that Legal Aid Center of Southern Nevada and Nevada Legal Services are willing to experiment with something that makes sense and would generate attendance.

Finally, it was shared that the Commission participated in a formal comment on the Community Reinvestment Act (CRA) in support of IOLTA being awarded CRA credit to banks for community service through legal aid. It was submitted during the open comment period to the Office of the Comptroller of the Currency at the U.S. Department of the Treasury. A copy of the comment is available from the Commission.



Commission Membership Nominations

Commission members were thanked for their electronic votes on new nominations from the Nominating Committee in support of updated SCR 15 (Commission composition). The updated rule is designed to involve more non-lawyer, community-wide stakeholders in order to maximize the Commission's effectiveness by casting a wider net of statewide involvement adding insights and skills needed to help deliver on our mission.

The following will become new Commission members when the change is ordered:

- Latoya Bembry, Director of Public Relations, The Ferraro Group
- Bobbette Bond, Director of Public Policy, Culinary Union
- Megan Ortiz, UNLV PILA Student replacement of Samantha Scofield
- Glen Stevens, Sr. Assoc. General Counsel/Sr. Attorney, United Healthcare/Sierra Health Services

Electronic Filing by Non-Lawyers

Judge Kushner recapped her efforts in the Eighth Judicial District Court (EJDC) related to advancing on e-filing for pro se litigants. She recapped the roadblock experienced and the continued efforts. She shared that she is cautiously optimistic about the potential for pro se e-filing to advance. Chief Justice Douglas, Judge Steinheimer, and Judge Robb all offered to assist if there is any way they could be of help. Justice Hardesty suggested that as Judge Kushner proceeds, she should call attention to the Nevada Electronic Filing Rules. The Commission previously submitted a recommendation in support.

Judge Kushner also shared that Celebrate Pro Bono Week 2018 became Celebrate Pro Bono *Month* in the EJDC, with a special focus on "front of line" for pro bono attorneys. She said attorneys are appreciative of this and it helps and encourages attorneys to take a case.

Other Business

Chief Justice Douglas asked if there was other business. Hearing none he thanked everyone for an outstanding year.

Justice Hardesty then took the opportunity to thank retiring Chief Justice Douglas for his years of vision, leadership, dedication, commitment, and heart that he has shown. It has been inspiring for many and an honor to work with him.

Informational Items

Informational items included the following:

- Legal Aid Provider Highlights
 - Legal Aid Center of Southern Nevada
 - Nevada Legal Services
 - Southern Nevada Senior Law Program
 - Volunteer Attorneys for Rural Nevadans
 - Washoe Legal Services
- Self-Help Center Statistics



- ATJC Nevada Supreme Court Annual Report
- Job Description for Statewide Advocacy, Outreach and Policy Director
- Celebrate Pro Bono 2018 Events Listing and Media Release
- Pro bono survey
- New Lawyer Pro Bono Emails
- Appellate Law Pro Bono Program
- AG Military Pro Bono Program
- *The IOLTA Report: Justice for All?* for Nevada Bankers Association E-Newsletter
- E-Filing Subcommittee ATJC Memo 8/22/18
- IOLTA Subcommittee Meeting Recap 4/17/18
- Quarterly Legal Aid Provider Meeting Recaps 8/2/18, 10/12/18
- Monthly IOLTA Summary
- Public Awareness

SUPREME COURT OF NEVADA
JAMES W. HARDESTY, JUSTICE
201 SOUTH CARSON STREET
CARSON CITY, NEVADA 89701-4702
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February 4, 2019

Assemblyman Jason Frierson
Speaker
Nevada Legislature
401 S. Carson Street
Carson City, NV 89701

Dear Speaker Frierson:

Thank you for your service to Nevadans and welcome to the 2019 legislative session. This past year, the Nevada Supreme Court Access to Justice Commission conducted a **Statewide Study of Civil Legal Needs and Economic Impacts of Low to Moderate Income Nevadans**. We believe you will find the information interesting and surprising. More importantly, it is information you can put to immediate use as you consider the many matters and votes that lie ahead this session.

The study shows that most of the *civil* legal needs of low to moderate income Nevadans go unmet. Key findings from the study:

- 400,000 Nevadans live in poverty at 100% of the Federal Poverty Level (\$12,140 for a single person)
- 1 in 3 Nevadans - almost 1 million (990,000) live in poverty below 200% of the Federal Poverty Level
- Poverty is spread across all urban and rural areas of Nevada
- In 2007 before the Great Recession 270,000 Nevadans lived in poverty, today that number is 400,000
- Senior citizens were hit hardest with a 100% increase in poverty since 2007
- Native Americans have seen an 80% increase in poverty

These facts mean increased problems with affordable housing, veterans' benefits, caring for children and seniors, healthcare, payday loans, consumer fraud, foreclosure, and more.

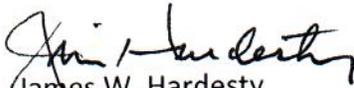
Often these problems turn into legal issues. In 2017, 147,000 low to moderate income (LMI) Nevadans faced legal issues. But when you're financially strapped, paying for an attorney is a luxury. While Nevada's legal aid providers have the capacity to close a large number of cases – 35,000 – 76% of the legal needs of LMI Nevadans go unmet.

The good news? Legal aid helps people avoid cascading problems, keeping people in their homes, employees on the job, and children in school; seniors, veterans and the disabled win benefits; and fraud and abuse are tackled. This reduces government spending and produces a \$7 return for every \$1 spent.

In criminal cases, right to counsel is provided for those unable to afford an attorney. The same is not true in *civil* cases, yet addressing civil issues can be determinative of life's success and help avoid government spending. Supporting civil legal redress is vital; it protects our vulnerable populations and fosters social stability that benefits all Nevadans. It is how "justice for all" is delivered, regardless of wealth, status, power or the ability to pay.

We have included the executive summary of the study for your review and to support your decision making.

Sincerely,


James W. Hardesty
Justice


Kristina Pickering
Justice

P.S. Find complete information from the legal needs study at www.nvbar.org and scroll to "Legal Research".

Access to Justice in Nevada: Challenges, Benefits & Opportunities –

The concept for this communications vehicle/elements is for it to be able to be used in both print and digital versions to help communicate key findings of the legal needs study using the following findings/numbers combined with visuals and design so members of various audiences can quickly learn about and understand key access to justice issues in Nevada. Digital “pieces” will be used for PowerPoints and in social media in a year-long “Did You Know?” campaign and will be a part of the RFP bid, which should also include a social media design built around pro bono volunteers/quotes.

Design should follow the look and feel of the banners previously created. (And elements of those should also be included in the overall design.) Layout (TBD) should be either an 8 ½” x 11” fold-out (4 pages) or a business envelope sized multi-fold mailer. If 4 pages – front = cover page/intro, 2 interior content, back page “implications”. Images – are suggestions and designer recommendations are welcomed. Multi-fold mailer may allow for more creative layout and be more practical for mailing? Suggestions welcome.

Underlined elements deserve more attention.

- Intro
 - Image - Lady Justice
 - “Access to Justice” means that *everyone* has an equal opportunity to seek a fair remedy to a *civil* legal problem under law, without regard to wealth, status, power, or the ability to pay
 - 84% of voters believe it is important for our democracy to ensure everyone has access to the civil justice system
 - Front and/or back cover has Nevada Supreme Court Access to Justice Commission name/logo
- Challenges
 - Image – 1 Million Nevadans (state shape?)
 - 1 in 3 – both urban and rural - are struggling to make ends meet, meaning they cannot afford an attorney
 - Image – Justice Barrier (show barrier here, show barrier broken down later)
 - 147,000
 - Civil legal problems experienced annually by Nevadans
 - Legal problems by issue (chart?)
 - Income & Employment – 36,000
 - Health – 28,000
 - Family, Juvenile & Education – 28,000
 - Consumer – 25,000
 - Housing – 16,000
 - Other issues – 14,000
 - 112,000
 - Civil legal problems for which Nevadans get no help
 - 76%

- Percent of legal needs that go unmet
 - Image – 1 to 4800
 - Ratio of legal aid attorneys to Nevada population unable to afford an attorney
 - Image – 12 to 4800
 - Ratio of attorneys to Nevadans who can afford an attorney
- Benefits
 - Image – 35,000
 - Cases closed by Nevada’s legal aid providers
 - Image – banner elements “Legal Aid Helps People”
 - Call-out box – story – NLS child medical benefits
 - Image – “Solutions”
 - Legal representation...
 - Helps a family save a home from foreclosure due to a job layoff or medical catastrophe
 - Protects a woman and her child against domestic violence
 - Offers an abused or neglected child a voice in their destiny
 - Defends against the financial abuse of a senior
 - Fights to protect a consumer from fraud
 - Wins hard-earned benefits for a veteran
 - Images – “Prevention”, hospitality worker, school kid
 - Legal aid halts cascading problems, keeps employees on the job and kids in school
 - Image - \$7 ROI (from banner)
 - Image - \$128 Million
 - In annual economic impacts produced through legal help
 - Image – 376
 - Nevada jobs supported by economic impact of legal aid
 - Image – “Your Day in Court” (courtroom?, gavel?)
 - Access to an attorney for those unable to afford one streamlines court appearances, saves time, results in fairer outcomes, reduces strain on the court system, and speeds court dockets benefitting all court customers
- Opportunities
 - Resetting of priorities based on latest data
 - Expanding self-help services
 - Pursuing innovation
 - Forming collaborative partnerships
 - Increasing funding to hire more legal aid attorneys
 - Image - \$6 Million
 - Pro bono legal services donated by the private bar with opportunity to grow
- Closing
 - Image – meeting with an attorney

- Access to justice really means being able to consult a lawyer when one needs legal advice
 - Images – 5, all provider logos
 - Nevada’s 5 core legal aid service providers offer a variety of legal education, services, consultations, and representation
 - Image – broken down wall/Justice Barrier
 - Breaking down the Justice Barrier will not only help many more Nevadans, but will have a dramatic 7-to-1 economic return benefitting *ALL* Nevadans
 - Image – Banner elements – Legal Aid is how we deliver on the American promise of “Justice for All”
 - Image – Banner elements – Help Legal Aid Break Down the Justice Barrier
 - Partner with legal aid
 - Volunteer pro bono
 - Fund or donate to legal aid
- “Implications” (depending on design, back page, sample “with/without” legal aid vignettes)
- Front and/or back cover has Nevada Supreme Court Access to Justice Commission logo

Further information and supporting materials are available on the State Bar of Nevada website www.nvbar.org. Scroll and click on “Legal Research”, “Nevada Statewide Study of Legal Needs and Economic Impacts”.

“Talking Points” for Legal Needs Study Final Draft –

Headline –

Legal aid helps people, saves money, and delivers justice for everyone.

Headline extended –

Legal aid helps Nevadans struggling to make ends meet when they cannot afford an attorney, and returns \$7 for every \$1 spent. Legal aid is how we fulfill the promise of “Justice for All” in civil cases.

(ROI comes from state and local government savings and Federal benefits. Detailed information available.)

Talking points short version –

A civil legal needs study of Nevadans struggling to make ends meet was recently completed. Almost 1 million Nevadans live near poverty. 3/4 of their legal needs go unmet. Legal aid helps protect the most vulnerable Nevadans and helps them get their day in court.

Talking points long version –

The Access to Justice Commission recently completed a civil legal needs study of Nevadans struggling to make ends meet. A surprising finding was that 1 in 3 – almost 1 million Nevadans - live near the poverty level. This means they cannot afford a lawyer to help when faced with a legal need. 3/4 of their legal needs go unmet. This is the “Justice Barrier”. This means 3 of 4 people do nothing to address their legal need, or get little or no help and go to court alone. With more support for legal aid we can help the most vulnerable and improve lives. Legal aid keeps employees on the job and kids in school.

Stats to add, tailored to audience:

- 84% of voters believe it’s important for our democracy to ensure access to our civil justice system, and 82% of voters agree that “equal justice under the law is a right, not a privilege”.
- Nearly 1 million Nevadans (990,000) live below 200% of the Federal Poverty Level (\$24k/single)
- Senior poverty in Nevada has doubled since 2007
- Nevadans struggling to make ends meet experience 147,000 civil legal problems annually
- Nevada’s legal aid providers are able to close 35,000 cases each year, just 24% of the need
- 76% of all legal needs go unmet
- In 2017, Nevada had 84 legal aid lawyers to serve 400,000 Nevadans at 100% of the FPL
 - That’s 1 lawyer for every 4,800 Nevadans struggling to make ends meet
 - For those who can pay, Nevada has 12 lawyers for every 4,800 people
- For every \$1 spent on legal aid, there is a \$7 return on investment through income and savings

Case types to add, tailored to audience:

- Many civil legal needs are life changing. Examples include a veteran denied hard-earned benefits, child abuse or neglect, families facing the loss of a home due to job layoff or medical catastrophe, keeping mother and child safe from domestic violence, preventing elder abuse, consumer fraud, and more.

Access to Justice Commission Member Profiles (Voluntary) -

Hi everyone! As part of raising the profile of the legal needs study, access to justice, the Access to Justice Commission, the value legal aid in Nevada delivers and the benefits that accrue, one angle we'd like to pursue for 2019 is to feature profiles of Commission members. We can share these in social media and other forums such as features, etc., as available.

If you are interested in participating, all we need is a photo of you and your answers to a few of the questions below based on your interest. For the photos, regular head shots are fine, as are photos showing you doing what you do, or even engaging in a favorite activity, especially if it matches with one of your answers.

We'd love to get started on this soon, but participation is not mandatory - just an opportunity through real people (people always get the most attention) to help us communicate our very important story. New Commission member Latoya Bembry of The Ferraro Group will be helping to develop and place these in relevant media.

Everyone submitting will first be able to proof and approve your profile.

Questions:

- Answer all of these
 - What is your job, position and what do you do?*
 - What attracted you to serve on the Access to Justice Commission?*
 - What have you learned during your involvement?* - OR - What do you find most rewarding about being involved?*
- Answer at least two of these
 - What's your philosophy on how to achieve justice for all?
 - What key successes are you seeing in the field of legal aid?
 - What key challenges are you seeing in the field of legal aid?
 - What civil legal issue do you feel the strongest about and why?
 - Is there any advice, story, or something else you'd like to share with our readers?

Thanks and ask any questions.



ACCESS TO JUSTICE COMMISSION

IOLTA Rate Review Meeting Recap - Draft
Monday, January 14, 2019 – 2:00 p.m.

Present

Justice James Hardesty
Justice Kristina Pickering
Connie Akridge
Julie Bobzien
Barbara Buckley
Noah Malgeri
Doreen Spears Hartwell

Staff Present

Kim Farmer
Brad Lewis

Justice Hardesty opened the call by welcoming Associate Chief Justice Kristina Pickering as the new Access to Justice Commission Co-Chair. Justice Pickering greeted the group and said she's happy to be joining. Justice Hardesty then acknowledged both the Nevada Bankers Association memo which the call was convened to discuss, along with the agenda and suggested instead, that he share an update from a recent bank meeting.

On Thursday, January 10 Justice Hardesty met with John Guedry, CEO of Bank of Nevada. Justice Hardesty sought insights into the current rate environment, how financial institutions look upon the hikes, and how they affect the bottom line. Justice Hardesty shared that the rate environment over the last 18 months has changed substantially, with the Federal Funds Target Rate (FFTR) increasing 1.2 basis points to the current rate of 2.5%. He added that a couple of additional rate adjustments are expected in 2019.

He learned from Mr. Guedry that while certain expenses increase for banks after rate hikes, for example FDIC insurance and overhead costs, that on the whole rate hikes affect banks quite favorably. As a rule of thumb, about 30% of the hike goes to costs, but 70% drops the bottom line. Mr. Guedry shared that each bump in the FFTR equals added profit to the financial institution.

Justice Hardesty shared that Mr. Guedry would be sending further research on this topic. Based on the current rate environment, the initial theory Mr. Guedry is operating under is that Nevada IOLTA could reasonably increase from .70% to 1.2%. [REDACTED]

The discussion also included an understanding of "what goes up, must come down". If the FFTR rate goes up in the future, so would the ATJC rate. And the same in reverse, with the current .70% IOLTA rate being a "floor" rate. At the current level of IOLTA holdings, the increase to 1.2% would increase granting capacity from approximately \$3 million to about \$4.8 million per annum. Currently "favored accounts" at banks are receiving 2.0 – 2.1% interest on their accounts.

What is required to move forward is the information from Mr. Guedry, synthesis of same, a discussion with this group and the full Access to Justice Commission, and further work in outreach to other financial institutions. This process will take some time and will follow this path to advance.

After the full status update Justice Hardesty asked for feedback and all were supportive. Further information will be shared soon.

A Project to Address the “Justice Barrier” in HOUSING in Southern Nevada

Lead Agency:
Nevada Legal Services (NLS)

Potential Partners:
*Us Vets, Nevada Homeless Alliance, Clark County Social Services, Salvation Army,
Lutheran Social Services, UNLV Boyd School of Law, Hermandad Mexicana*

DRAFT February 24, 2019

A. The Need for This Initiative

1. **Housing issues comprise one of the most compelling areas of unmet legal need in Southern Nevada in Nevada.** The 2018 Nevada Legal Needs Study revealed that...
 - **Having help from a lawyer is crucial for a family facing a legal problem affecting its housing security.** For example, as shown in Exhibit 1, having legal assistance in responding to a Notice of Eviction can make all the difference between a family’s spiraling more deeply into poverty on the one hand or getting help from programs that can lead to a stable future on the other.

Exhibit 1

Implications of Unmet Need For Legal Help With
Eviction Notice

<p>WITHOUT Legal Help, People...</p> <ul style="list-style-type: none">✓ Miss work and schooling✓ Usually lose by default✓ Are unaware of programs that could help✓ Have children’s schooling disrupted✓ Wind up couch-surfing or in shelters <p>WITH Legal Help, People Can...</p> <ul style="list-style-type: none">✓ Get time to seek alternative housing✓ Stay at work✓ Access emergency assistance programs✓ Keep children in their own school✓ Avoid homelessness	
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- **Thousands of low-income Nevadans suffer from un-met Housing Security legal needs.** Each year, **9,000** Nevadans facing Housing Security issues are unable to get the free legal help for which they are eligible.¹ The top three Housing Security legal needs revealed by the Legal Needs Study were (#1) eviction or lock-out from private rental housing (3,675 legal needs per year), (#2) inadequate income to make rent or house payments (2,912 legal needs per year), and (#3) housing subsidy issues (1,975 legal needs per year).²
 - **Without legal assistance most of the people affected by these problems are unable to get access to an array of programs that are available to help them.** Legal aid advocates often can prevent or delay an eviction, thereby avoiding the need for a family to move to emergency shelter and keeping the children in their current school, while at the same time helping the family to connect with emergency housing assistance programs that can lead to a more stable housing situation.³
- 2. The “justice barrier” in Housing is having profound consequences in Southern Nevada.**
- Evictions impact the ability of families to maintain safe and reliable housing. Poor families who face eviction may not be able to find replacement housing and may have to live in shelters, on the street, or bounce between various friends and relatives.
 - Evictions impact the ability of families to save money. Families who are evicted have to spend money to move, get temporary housing, and pay for a new apartment. This means they don’t have the ability to save money, meaning that they don’t have a cushion in case of an illness, a car breaking down, or losing a job.
 - Evictions impact the ability of children to get an education. Children in households with evictions often miss school during housing transitions. Evictions also cause children to have to switch schools mid-school year causing them to lose much of the educational progress they made during the first part of the school year.
 - Evictions impact the mental health of the families who are displaced. People who are evicted are more like to suffer from anxiety, depression, and even PTSD.

B. A Community Initiative to Address This Need

1. We are proposing to provide free civil legal aid for all tenants facing evictions in Henderson, North Las Vegas, and Las Vegas Justice Courts.

- **WHAT: Free legal representation for tenants facing evictions.**
- **WHY: To prevent the disruption evictions cause poor households.** Pro se tenants are rarely successful on their own, even if they have a valid defense. Tenants with an attorney have a much improved chance of avoiding eviction. Each successful eviction defense in an eviction case saves an average **\$5,963** in emergency shelter cost for the community.⁴
- **WHO: Legal aid providers and their major community partners.** Leadership for the initiative will be provided by Nevada Legal Services. Potential partners include US Vets, Nevada Homeless Alliance, Clark County Social Services, Salvation Army, Lutheran Social Services, UNLV Boyd School of Law, and Hermandad Mexicana.
- **WHEN: Eviction defense services will be made available daily in Las Vegas Justice Court,**

and two to three times per week for litigants in North Las Vegas and Henderson Justice Courts.

- **WHERE:** The project will initially target the areas that have been revealed by the Legal Needs Study to have a combination of (a) a high concentration of un-met needs and (b) a critical mass of strong community partners who can assist with outreach and marketing for potential clients. These factors are especially present in **Las Vegas, North Las Vegas, and Henderson Justice Court.**
- **HOW:** The initiative will be designed to leverage the current capacities that exist within the Nevada Legal Services network, including legal expertise and organizational capacities in the Housing Security area and working relationships with potential community partner organizations in the service area of NLS. NLS will staff a kiosk at the Court on eviction days and talk to all tenants appearing before the Court that day. NLS will screen the tenants for eligibility and represent tenants that day who request our assistance. All other tenants will be given legal advice, have their documents reviewed, or offered mediation of the dispute if mediation is appropriate.

C. **Where the Model Has Been Successful** (*Under Development*)

- Washington (Seattle): King County Bar Association Housing Justice Project
- Vermont (Statewide): Volunteer Lawyers Program
- California (Berkeley): East Bay Community Law Center – Eviction Defense Clinic

Access to Justice Commission Nominations 031319 –

This is an action item. Votes are required. The following are candidates for the Access to Justice Commission:

- **Hon. E. Alan Tiras**
 - Incline Village Justice of the Peace
 - SCR 15 (2)(c)
 - Recommended Nevada Judges of Limited Jurisdiction replacement of Hon. Tammy Riggs
- **Bronagh M. Kelly**
 - Attorney, Woodburn and Wedge, Reno
 - SCR 15 (2)(i)
 - Recommended by the State Bar of Nevada Young Lawyers Section



DAYTON TOWNSHIP JUSTICE COURT

235 MAIN STREET ■ DAYTON, NEVADA 89403

(775) 246-6233

FAX: (775) 246-6203

CAMILLE VECCHIARELLI
JUSTICE OF THE PEACE

February 20, 2019

Brad Lewis
Access to Justice Director
State Bar of Nevada
3100 West Charleston Blvd., Ste. 100
Las Vegas, NV 89102
bradl@nvbar.org

RE: The Nevada Judges of Limited Jurisdiction: Representative to the Nevada Access to Justice Commission

Dear Mr. Lewis:

This is to inform you that the Board of Directors for the Nevada Judges of Limited Jurisdiction (NJLJ) has received the resignation of Reno Municipal Judge Tammy M. Riggs from the Nevada Access to Justice Commission. In her place, pursuant to Nevada Supreme Court Rule 15(2)(c), the Board has nominated Incline Village Justice of the Peace E. Alan Tiras. Please accept this as a request to place Judge Tiras' name in nomination as the NJLJ representative at the Commission's next regular meeting.

Thank you for your assistance with this matter. If you have any questions or concerns, please feel free to call me at the Dayton Justice Court at 775-246-6233.

Camille Vecchiarelli
Justice of the Peace, Dayton Township
President, Nevada Judges of Limited Jurisdiction

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS
TO SCR 15 REGARDING
MEMBERSHIP COMPOSITION OF
THE NEVADA SUPREME COURT
ACCESS TO JUSTICE COMMISSION.

ADKT 0537

FILED

FEB 20 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER MODIFYING RULE AMENDMENT

On January 14, 2019, this court entered an order amending SCR 15. We have determined that the amendment to SCR 15 in Exhibit A to this court's order requires modification. Specifically, Exhibit A inadvertently omitted a provision proposed in the petition filed in this court on December 20, 2018, providing that the access to justice commission be staffed by an executive director who is employed by the state bar. Accordingly, we direct the clerk of this court to modify Exhibit A to the order filed on January 14, 2019, by adding "3. Staffing. The access to justice commission will be staffed by an executive director who is employed by the

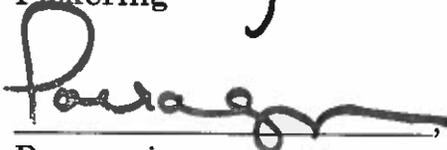
State Bar" to page 3 of Exhibit A. Subsection 3 of the rule shall be renumbered to subsection 4.

It is so ORDERED.


Gibbons, C.J.

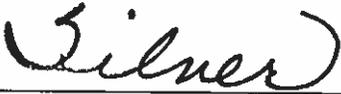

Pickering, J.


Hardesty, J.


Parraguirre, J.


Stiglich, J.


Cadish, J.


Silver, J.

cc: Richard J. Pocker, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
All District Court Judges
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Administrative Office of the Courts

EXHIBIT A
AMENDMENT TO SUPREME COURT RULE 15

Rule 15. Commission on Access to Justice.

1. **Creation, purpose.** The supreme court shall appoint a commission on access to justice. The commission shall:

(a) Assess current and future needs for civil legal services for persons of limited means in Nevada.

(b) Develop statewide policies designed to support and improve the delivery of legal services.

(c) Improve self-help services and opportunities for proper person litigants and increase pro bono activities.

(d) Develop programs to increase public awareness of the impact that limited access to justice has on other government services and on society.

(e) Investigate the availability of and pursue increased public and private financing to support legal services organizations and other efforts to provide legal services to persons of limited means.

(f) Recommend legislation or rules affecting access to justice to the supreme court.

2. **Composition.** The access to justice commission shall be [~~staffed by an executive director and~~] composed of the chief justice of the supreme court or the chief justice's designate and the following members, to be appointed by the supreme court to [~~four-year~~] two-year terms:

(a) One district judge each from the Second and the Eighth Judicial District Courts. At least one of those judges must be assigned to the family division of the district court.

(b) One ~~[additional]~~ district judge to be selected from the First, Third, Fourth, Fifth, Sixth, Seventh, or Ninth Judicial District Courts.

(c) One limited jurisdiction judge, who shall serve as liaison to the Nevada Judges ~~[Association.]~~ of Limited Jurisdiction.

(d) One public attorney representative designated by the Nevada Attorney General.

(e) One representative each from the ~~[Southern Nevada Senior Law Program,]~~ Legal Aid Center of Southern ~~[Nevada/Pro Bono Project,]~~ Nevada, Nevada Legal Services, Southern Nevada Senior Law Program, Volunteer Attorneys for Rural Nevadans, Washoe Legal Services, and the designated tax exempt bar foundation pursuant to SCR [216, Nevada Legal Services, Volunteer Attorneys for Rural Nevadans/Domestic Violence Project, the Washoe County Senior Law Project, and Washoe Legal Services/Pro Bono Project.] 216.

(f) One representative each from the Clark County Bar Association, the State Bar of ~~[Nevada,]~~ Nevada Board of Governors, ~~[the State Bar of Nevada Young Lawyers Section, and]~~ the Washoe County Bar ~~[Association.]~~ Association, and a rural County Bar Association.

(g) One student representative of the Public Interest Law Association or the State Bar of Nevada Young Lawyers Section, and one faculty representative from the William S. Boyd School of Law of the University of Nevada, Las Vegas, designated by the dean. ~~[Individual appointments under this subsection may be rotated in less than four year terms.]~~

(h) ~~[Two]~~ Five persons who are not members of the legal ~~[profession.]~~ profession, unless appointed under subsection 2(i) of this rule.

(i) ~~[Three]~~ Two at-large representatives. ~~[Appointments under this subsection may be rotated in less than four year terms as the]~~ The

Commission [~~deems~~] shall make appointments under this subsection as deemed necessary and proper to facilitate [diversity] diversity, including statewide regional representation, other bar representation (e.g., specialty or federal, etc.), address trends in access to justice, and fulfill the Commission's purpose.

The commission may appoint [~~nonvoting members, including, but not limited to, judges and representatives from other direct service providers, county bar associations, and neighborhood pro bono projects.~~] additional members, voting or non-voting, as deemed necessary and proper to facilitate the maximum effectiveness of the Commission. Subcommittees comprised of voting and non-voting members may be appointed at the discretion of the chair.

3. Staffing. The access to justice commission will be staffed by an executive director who is employed by the State Bar.

[3.] 4. Meetings. The commission shall meet at least semi-annually and shall have additional meetings, as the commission deems appropriate. The commission may form separate subcommittees to address specific issues.

Tab 3 –

TBD report on EJDC eFiling.



2018 Access to Justice Highlights

Summary – 2018 Accomplishments

Children’s Attorneys Project

- Marched towards 100% representation of every abused child in Clark County by hiring four attorneys. In July, launched a #CAP100 initiative with community members, judges, and advocates. After launching the initiative, we placed 209 cases in six months, interviewed two attorneys who will be hired in 2019, allowing us to achieve our goal!
- CAP played an integral role in helping to achieve permanency for over 538 children who were adopted in 2018. This surpassed the 522 children who were adopted in 2017.
- CAP aggressively litigated a disturbing practice of separating brothers and sisters, allowing a foster family to adopt the infant to encourage them to stay involved in the foster care system.
- We started participating in Autism Court to ensure kids on the spectrum are getting the education support they need to be successful.
- We filed a record 27 due process complaints against CCSD for failure to provide appropriate services to kids with disabilities. We file more than any other agency or attorney. As a result of these due process complaints we secured 595 compensatory education hours and 80 hours of remedial speech therapy for our clients.
- We obtained 28 Individual Expert Evaluations so our clients could go to outside providers in the community for evaluations at school district expense.
- 26 outreach events to everything from DFS, probation, and community events.

Consumer Rights Project

- Garcia v. Autovest, LLC, Fair Debt Collection Practices Act - Class Action Settlement – we filed a Class Action in federal court against Autovest for filing lawsuits on time-barred debts, a violation of the FDCPA. The Court certified a Class and approved a negotiated settlement. Members of the Non-Judgement Subclass (73 members) had their pending collection cases dismissed (or waived if not yet filed) and enjoyed \$738,096 in debt forgiven. Members of the Judgement Subclass (25 members) received a \$100 credit against their judgment. Attorney’s fees and costs of up to \$25,000 were not opposed by

agreement in the Class Action, and Autovest agreed to pay LACSN \$12,550 in attorney's fees and costs in a state court action against our client. The Class Representatives each had their alleged debt forgiven and each received a \$1,000 incentive payment for their time and effort in representing the Class.

- We filed a class action against Quality Acceptance for suing consumers to collect debt after an auto repossession and sale, when Quality Acceptance had failed to give adequate disclosures in the post-repossession notice required by law. The case as of January, 2019 is in the beginning stages, but we believe the bad notice was sent to more than 3,000 Nevada consumers. If so, we will seek to set aside judgments already obtained, stop cases from proceeding, and obtain statutory damages for the class.
- Worked side-by-side with various community partners to provide seamless, wraparound type services for 1 October survivors and their families and begun the transition to be the director of the Vegas Strong Resiliency Center. This also included leading the legal team staffed at the VSRC to ensure all survivors of 1 October have access to legal counsel for their various legal needs, including access to the public benefits they are entitled to, reducing the level of bureaucracy they must deal with. Interacted with hundreds of survivors on the anniversary of 1 October.
- Instrumental in planning and execution of outreach initiatives for one year anniversary of 1 October, supporting victims around the globe. This included strategic planning aimed at reaching thousands of individuals utilizing a creative social media campaign & traditional media campaign. It further required significant coordination with government organizations & community partners throughout the planning and staffing of numerous exhibits and community outreach events.
- Coordinated, planned and began execution of an initiative with community partners to educate decision makers, local community groups and individuals in regards to the harm of the payday and title loan industry to consumers. This included two payday loan forums with a call-to-action in preparation of the 2019 legislative session.

Adult Guardianship Program

Met an aggressive goal of representing every person over whom guardianship was sought, more than doubling our caseload from 402 cases to 1,083 cases. Hired four new attorneys to our team!

- GAP attorneys systematically attacked various legal issues (guardian and attorney fee awards, grant of temporary and special guardianships) to educate judges and change ongoing practices.
- GAP staff developed and implemented a standardized system to accept, process, and litigate every new guardianship case, including a new paralegal visitation program to monitor clients.

- Jim Berchtold and Stephanie McDonald created a complete set of standardized guardianship forms approved by the Nevada Supreme Court for use in all Nevada district courts.
- Through the Guardianship Commission, created a court rule to govern the role and duties of attorneys for protected persons (hopefully to be approved by the Nevada Supreme Court) – and equally important, staved off the self-interested jerks who were on a mission to gut the right to counsel.
- Completed a (lengthy!) training manual to train pro bono (and new Legal Aid Center attorneys) on everything you could possibly need to know to represent a protected person in a guardianship case.
- Barbara testified before the U.S. Senate’s Special Committee on Aging, emphasizing the critical role of counsel in protecting the rights of protected persons in guardianship cases.

Family Justice Project

- Opened 869 new cases in 2018 with an active caseload of 1,107 cases, concentrating on the most serious domestic violence and abduction cases.
- Formulated internal “high risk teams” consisting of attorneys, legal assistants and advocates to identify/dissect client needs, both legal and holistic, and develop a plan of action to meet those needs.
- Re-designed FJP intake procedures to amplify all available legal resources to benefit applicants in need of resources besides intake such as AAL, SHC, classes, pre-trial prep. class, community partners referrals, out-of-state referrals, DA Child Support Division, and more; efforts resulted in reduction of case declination of in-eligible cases.
- Increased number of “advice and counsel” services to applicants who had emergency needs or those needing direction in their cases. Oftentimes, advice and counsel services resulted in applicant developing a plan to address deficiencies in their particular circumstances before commencing litigation.

Immigration Program

- Opened 523 cases in 2018 with an active caseload of 1,038 cases, concentrating on cases involving domestic violence, sexual assault, and cases involving abandoned or abused children.
- The immigration team expanded its practice area to include affirmative asylum cases to address an immediate need in the community. Staff worked diligently to become familiar with the political dynamics in Venezuela under strict time constraints. We filed a total of 8 cases and received approvals on 4 cases. The other 4 cases are still pending.

- The immigration team opened more brief service cases to assist individuals with various issues. Some of those issues included bond hearings, FOIA requests and review, preparation of forms, motions in immigration court and BIA appeals.
- The immigration team remained current on various changes to USCIS policies and relevant litigation to better advocate for clients.

Pro Bono Project

- In July, we launched a #CAP100 initiative to reach 100% representation of children in foster care with community members, judges, and advocates. After launching the initiative, we placed 209 cases in six months and we are closer to our goal more than ever!
- We began our Guardianship Pro Bono Program in 2018. We created an extensive training manual to train pro bono attorneys to represent protected persons in a guardianship case and will be conducting CLE trainings in 2019. We developed a new Guardianship page on our website with training materials and resources.
- We reached out to community partners (Schwab, Caesars, MGM, Venetian/Sands) to increase in-house pro bono recruitment.
- We hired a Pro Bono CAP Liaison to help recruit pro bono attorneys, help improve waiting time, processes, CLE, and attorney attention.
- We achieved 100% contact with each Pro Bono CAP attorney and maintain contact with them on a monthly basis. We also increased our support luncheons to monthly basis.
- Our annual Pro Bono Awards Luncheon was a great success with a first time sold out attendance!

Civil Law Self-Help Center

- We saw 42,136 customers in person! 1,110,773 users visited our website!
- We created a new Foreclosure Mediation set of pages on our website, which includes information on foreclosures, forms for foreclosure mediation assistance, and resources!
- We implemented seven new automated online interviews for users filing probate matters and petitions for judicial review!

Family Law Self-Help Center

- We hired three amazing new staff! Sonya Toma, Karla Retiguin, and Lesa Curvey.
- We served 49,669 customers in person and 859,601 people through our website, yet another new record for both!
- Added 4 new Tyler Guide & File interviews that allow litigants to complete forms online through a guided interview. There were 3,618 family-related interviews completed during 2018!
- Worked with the statewide Guardianship Commission forms subcommittee to adapt our guardianship forms for use statewide. A total of 81 guardianship forms are now available for all Nevadans based largely on our local forms.
- We expanded our contract with the court to DOUBLE our staff and finally secured funding to relocate the self-help center to a larger renovated space (coming 2019)! This is all part of our plan absorb customer service functions for those seeking a protection order against domestic violence in addition to what we are already doing. When the expansion is complete, we will truly have a one-stop self-help center where customers can get help with nearly any family court topic.

Administration

- Added ten new attorney positions and four new advocate/support positions, a 17% increase. With retirements, new positions, and departures, on boarded 23 new staff.
- Coordinated the community stakeholder meetings for the legislators, judicial officials, legal community, community partners, and the business sector and presenting on the top-level findings of the 1st statewide legal needs study in 10 years.
- Letter to the Editor we prepared that went out to over 30 different publications across various states informing individuals impacted by October 1 of the deadline to apply for Nevada Victims of Crime Program. This outreach, in conjunction with other efforts, resulted in over 1,000 new applications being submitted.
- Helped coordinate 89 outreach events in 2018. The most ever as long as we've been keeping track.
- We gained over 600 new followers on our social media sites over the past year.
- We sold out on the table and seating purchases for the Pro Bono Awards Luncheon.
- Began a continuous improvement project looking at ways to serve clients better; implemented major improvements to intake including an attorney to oversee the process,

new way of entering cases into our case management system immediately, and shorter waiting times for clients. Began a transition to “paperless” file maintenance for guardianship and CAP.

Consumer Case Highlights

Client vs. Social Security Administration – Client is 76 year old Spanish speaking individual who was about to become homeless following the cessation of his SSI benefits. Client was placed in a senior facility against his will by his son. Client’s son failed to notify Social Security of his father’s new residence so client’s SSI check continued to be deposited into his bank account without any adjustment. When client finally proved to the staff at the facility he was in that he was mentally competent to take care of himself he was allowed to leave. Client used the funds in his bank account to obtain temporary housing. Shortly afterwards he was informed by Social Security that he had been overpaid since they had only just learned that he was in a senior facility. Social Security then ceased client’s benefits. Client was unable to correct the situation and contacted Legal Aid Center of Southern Nevada where he met with Maggie Cormier who began to provide extensive assistance to the client in obtaining rent when he was unable to pay his rent and later with obtaining new affordable housing while he was pending permanent housing through the Clark County Housing Authority. Ms. Cormier would meet with the client on almost a daily basis with any questions he had and also called Social Security on his behalf to speak with the representative handling his case in order to expedite the renewal of his SSI benefits. After numerous calls and letters to the Social Security Office, client’s benefits were reinstated and he is now residing in a group home while his application for low-income housing is being processed. Legal Aid Center will continue to represent the client at his upcoming Administrative Law Judge hearing regarding his SSI overpayment and Ms. Cormier continues to speak with him when he comes in to the office and answers his questions and keep him informed regarding the status of his case. Client was very happy with the attention he received from the staff at Legal Aid Center and particularly with Ms. Cormier. He was greatly relieved that she was there to help him locate the housing he desperately needed and get his SSI benefits reinstated so he would not end up homeless on the streets. (Fleming)

Guardianship Advocacy Project Case Highlights

Legal Aid Center of Southern Nevada was appointed to represent Stella,* an eighty-seven year old widow. Stella’s husband had passed away some five years ago, leaving Stella with sufficient financial resources to care for herself for years to come.

Stella had four children, two daughters and two sons. As Stella started to decline, Stella’s daughters moved into Stella’s home to care for her. Unfortunately, the daughters also began isolating Stella from her sons. After a lengthy court battle, the sons were awarded guardianship over Stella over the daughters’ objection.

One of the sons' first acts as guardians was to move Stella to their home state to live with them. When Stella's Legal Aid Center attorney contacted Stella, Stella indicated she was happy with the move and loved living with her sons. After only a few months, however, Stella's health significantly declined, and Stella's sons placed her in a nursing home. Stella's attorney again reached out to Stella. This time, Stella said she did not want to be in the nursing home and wanted to return to her home in Nevada. Stella's greatest fear was dying in a nursing home. Stella's Legal Aid Center attorney immediately contacted the sons and demanded that Stella be returned to Nevada, but the sons refused. Stella's attorney then asked the court to require Stella's return, but the sons objected, claiming the move would be a financial burden.

When Stella's attorney contacted Stella to discuss her options, it was apparent that Stella was less coherent than usual and in distress. Stella told her attorney, "I've got to get myself out of here." Stella's attorney contacted the head nurse and was shocked to learn that Stella had fallen and had literally been lying on the floor bleeding during their entire phone conversation. In fact, the attorney learned that Stella had fallen no less than eight times in the last month.

Based on the inadequate care Stella was receiving and the guardians' lack of oversight, Stella's attorney filed with the court to have the sons removed as guardians and to have Stella immediately returned to her home. The court ordered the sons to return Stella or face contempt charges. Stella's sons were upset, but fearful of going to jail, they complied.

When Stella's attorney next visited Stella in her home in Nevada, Stella was on hospice and close to death. But she was happy to be home. Stella could barely speak during the visit, but she knew where she was. She told her Legal Aid Center attorney, "I am home."

One of Stella's sons was present during the visit and, despite the fight over Stella's return, thanked Stella's attorney and said he was happy his mother could die in her home as she had always wanted.

A few weeks later, Stella passed away peacefully in her home. Stella's fear of living her last days in a nursing home did not become a reality. Stella was surrounded by her family. (MacDonald)

Family Justice Project Case Highlights

Habiba is a young mother, from Sudan who came to the United States with her husband. She speaks Sudanese Arabic, a dialect that is not widely spoken and there is only one certified interpreter here in Nevada. She has a daughter who is now 12 years old from a prior relationship and two younger daughters with her husband. Upon returning home from the hospital after giving birth to their youngest daughter, her oldest daughter informed her that her stepfather had sexually assaulted her. Habiba immediately kicked her husband out and struggled to survive. Due to the language barrier neither Habiba nor her daughter were fully able to explain what her husband had done. She filed for divorce but lost custody of the minor children when she failed to show up for two court hearings. We were able to get the Decree of Divorce set aside and have the court consider the sexual abuse allegations. As the case proceeded, the opposing party quit participating in the case and his default was entered and a Decree of Divorce

entered granting custody and alimony to Habiba. The husband then hired counsel and the second Decree of Divorce was set aside. The DA finally agreed to file charges of sexual abuse of a minor against Habiba's husband and he was arrested. He is presently in jail awaiting trial in March. Upon advice of his counsel, he agreed to Habiba's terms for the divorce which included custody of the minor children with no visitation for him and a reservation of her right to seek alimony. Habiba is taking courses to improve her English. She is employed and supporting her three daughters. (Noyce)

Immigration Case Highlights

Client had a good job and good life in El Salvador. He worked for a government company. He exposed corruption at the company to protect the workers. His brave actions caused him to receive threats on his life. He tried to move to different locations, but they would find him and threaten him there. He realized that he was being targeted. He was threatened for over a year. His health began to decline as a result of the threats. One day he was kidnapped from his home and forced to watch a video of a man being tortured. Client was terrified after this incident. He went on vacation hoping things would calm down when he returned. When he returned, he was shot at by the government officials. Client fled El Salvador for the safety of him and his family. He came to our office mere weeks before his 1 year deadline to file for asylum. He waited so long because he couldn't afford to hire an attorney. We immediately began working on his case and got it filed before the deadline. We attended the interview with the client and he and his family were granted asylum. (Cetin)

Children's Attorneys Project Case Highlights

CAP was appointed to represent H (age 10), L (age 9), N (age 4), and C (age 2) after they were removed due to the parents' domestic violence, substance abuse, and untreated mental health issues. Over the two and a half years of representation, CAP has been there through two failed trial home visits with the children's mother, dad's imprisonment, as well as various struggles and placement changes due to the children's special needs. Since the father's release from prison in 2018, he has successfully completed drug court, attended visits, and engaged in services. During an evidentiary hearing to reunify the children with their father, CAP was instrumental in examining witnesses and successful in eliciting vital testimony to show that their father was safe and appropriate to have placement of all four of his children. After a very long road, all four kids were returned to their father's care in time for the holidays. (Planta)

Education Advocacy Program Case Highlights

Nine year old male student who attends elementary school with disability of serious emotional disturbance was handcuffed three separate times for disability related behavior. Legal Aid Center filed due process on multiple grounds as the school had not followed IEP nor provided any

meaningful supports. At resolution, the school district capitulated to all of our requests which included development of a BIP (Behavior Improvement Plan) to be completed by trained behavior technician; an outside independent evaluation to be provided at school district expense; a new school placement; mandatory training for the prior school on proper behavior interventions; mandatory training for prior school on IEPs, proper IEP goals and data collection; compensatory education; written daily communication log between school and parent, training for the school where student will attend; social work services for student, and regular school meetings to measure student progress. Legal Aid Center is also working on FOIA request on what school district police training is as it relates to handcuffing small children with documented disabilities. (Venci)

* Names have been changed to protect confidentiality.

Sheri Cane Vogel, Esq.
Executive Director

Elana T. Graham, Esq.
Deputy Director

Southern Nevada Senior Law Program's Access to Justice Report- March 22, 2019 Meeting

To the Members of the Access to Justice Commission:

Our office would like to provide you with some updates on our office and legal assistance in the senior community.

A. NEW YEAR, NEW LOCATION

We are happy to report that SNSLP moved to a new location on February 4, 2019, which is located at 7690 W. Sahara Avenue, Las Vegas, Nevada 89117. Our new location has been warmly embraced by our clients and gives us additional room for growth; fulfilling our goals to expand the legal services we provide in elder law.

SNSLP continues to provide free legal services in a variety of civil areas including:

1. Estate Planning;
2. Consumer law;
3. Real Property and Housing;
4. Healthcare Documents;
5. Social Security;
6. Landlord/Tenant;
7. Elder Abuse/Exploitation;
8. Debt Collection; and
9. Probate

SNSLP is also continuing to expand its outreaches, in-house appointments, and educational seminars.

B. CASE STORIES

1. CONSUMER CASES

Our office assisted a seventy-seven-year-old woman with her solar contract and loan. Our client executed a solar contract for the installation of solar panels at her residence, whereby the purchase price totaling over \$16,000 was financed through a third-party company. Our client agreed to the solar contract based on representations from the solar company that her electrical bill would be significantly reduced, and representations that she would receive a substantial tax rebate. Subsequent to the execution of the solar contract, our client received communications from NV Energy stating that she would not be eligible for any tax rebate and any reduction in her electrical bill would be minimal due to the preexisting low monthly

electrical usage at the residence. Due to those facts, our client cancelled her contract within the three-day statutory period under NRS 598. Despite timely cancelling the solar contract, the solar company refused to honor the cancellation and was attempting to enforce the over sixteen-thousand-dollar loan associated with the solar contract. By the time our client came to the Southern Nevada Senior Law Program, the solar company had already charged our client over five thousand dollars. Lost and unable to afford the ever-growing debt underlying the solar contract, our client reached out to the Southern Nevada Senior Law Program in the hopes of finding some outlet to resolve the solar issue. After several discussions with our client, the Southern Nevada Senior Law Program discovered that our client was unaware of the new law regulating solar companies. Subsequently, the Southern Nevada Senior Law Program wrote several demand letters and engaged in substantial negotiations with both the financing company and the solar company to enforce our client's rights under the law and eliminate the entirety of the debt being collected against our client by the solar and financing companies. After several months of negotiations, the Southern Nevada Senior Law Program was successful in getting the financing company and solar company to void the loan and contract, thereby zeroing out any outstanding debt owed by our client.

Our office assisted a sixty-five-year-old woman with her dispute against GM. Our client purchased a vehicle from GM in 2013 and every two years was experiencing the same interior, structural issues with her car. Prior to coming to our office our client attempted to resolve the issues with GM, but was either offered substandard remedies to the structural issues and/or GM failed to adequately respond to our client's inquiries. Fed up, the client sought the assistance of our office to find a permanent resolution to her dispute with GM. Our office reviewed the structural issues, contractual obligations, and warranties for GM in conjunction with Nevada Law. Based on our analysis, our office wrote several demand letters and engaged in substantial negotiations with GM to enforce our client's rights under the law. After several months of negotiations, our office was successful in having GM fix the structural issues at no cost to our client, provide an extended warranty, and offer an additional \$2,000 for pain and suffering to our client.

2. SOCIAL SECURITY CASES

A senior citizen came to our office due to letters he received from the Social Security Administration requesting repayment of an approximately \$12,000 overpayment. His Request for Waiver of the overpayment was denied, as was his request for reconsideration. Our client subsequently requested an ALJ (Administrative Law Judge) hearing and asked if our office could assist him at the hearing. Our office needed to show that 1) the alleged overpayment was not his fault, and 2) he could not afford to pay back the overpayment even if it was deemed his fault. A detailed review of our client's social security file showed that the Social Security Department had made many clerical and mathematical errors in their correspondence with the client. At the ALG hearing, our social security attorney argued that the overpayment issue was barred based on several bases, including the errors made by the Social Security Department, the client's inability to pay, and that the overpayment not being his fault. After the hearing, the client was relieved to have finally told "his side of the story." Our office is awaiting the decision from the ALJ.

3. LANDLORD/TENANT CASES

Our office assisted a sixty-eight-year-old veteran regarding his landlord-tenant dispute. Our client has a medical marijuana license from the State of Nevada. In attempting to locate a place to live, our client reached out to his landlord about an apartment and immediately informed the landlord that he needed to use medical marijuana twice a day to lessen the excruciating pain enveloping his body. Initially, the landlord stated that usage of the medical marijuana on the apartment complex's premises would be ok because he had a license. However, once our client moved into the apartment, the landlord stated that our client could not use medical marijuana on the apartment complex's premises. Unable to afford a penalty for terminating his lease or forgo his necessary medical treatments, our client turned to our office seeking assistance. Our office reviewed the lease/applicable Nevada law; and informed the client about NRS 118A et al., regarding medical termination of lease. Based on our analysis of the facts of the case, our office is in the process of assisting the client in terminating his lease without financial penalties to allow our client to seek residence at a new location.

C. WHAT'S ON THE HORIZON

SNSLP was recently awarded additional grant money from Bank of America. Through the grant of funds, SNSLP will be able to expand its "Protect Your Elders" program. The program will be focused on handling more complex consumer/elder abuse litigation cases that have increased in the Clark County senior community. SNSLP will continue and strengthen our partnership with the Clark County District Attorney's Office and senior communities within Clark County to educate seniors on impending foreclosure crises, identifiers of abuse/exploitation and assistance, and pursue individuals/companies that seek to exploit/abuse the vulnerability of our seniors. With educational information on scams, abuse/exploitation, foreclosure prevention, and legal advocacy for consumer litigation cases, the senior community in Clark County will have the tools to be financially, economically, and socially stable, thereby stabilizing the community by which the senior resides.



ACCESS TO JUSTICE COMMISSION

Quarterly Nevada Legal Aid Provider/ATJC Meeting - Highlights

Friday, February 1, 2019 – 10:00 a.m.

Attendees Present

Julie Bobzien
Barbara Buckley
Venicia Considine
James Conway
Annamarie Johnson
Sugar Vogel

ATJC Staff Present

Brad Lewis

This was a one hour call focused on feedback on the legal needs study elevator speech, views on NBF fundraising, and ATJC future goals, among other things.

The meeting began with recent updates including the appointment of Justice Kristina Pickering to replace Justice Michael Douglas as the new ATJC Co-Chair joining Justice Hardesty. 2018 IOLTA ended up at \$3.5M v. \$2.8M in 2017. It was also shared that it is possible City National Bank will increase IOLTA rates on some larger accounts to 1.21%. The potential increase amount is unknown. It may be as small as \$50,000 per year, or larger.

Legal Needs Study Elevator Speech

Sample elevator speeches from the study communications subgroup were shared for feedback which was offered. This feedback will be used to settle on a few brief sentences that are easy to share about its findings and what we hope people will know or do. More separately on that later.

Nevada Bar Foundation (NBF) Fundraising

The Nevada Bar Foundation requested feedback on provider desire for the NBF to do fundraising, and if so, what. Below highlights the recap shared with NBF:

- Whatever fundraising NBF does should not duplicate what the providers do
- The primary access that NBF has is to the legal community at large that providers really do not
- Do something the NBF is “uniquely” able to do
- The fundraising should be focused and specific – “this fundraising would go for X”
- Providers envision a single ongoing, focused, strategic campaign to the legal community
 - There are two top options (and/or)
 - Law Student Loan Debt Initiative (E.g. if work in legal aid for two years, student loans paid or reduced)
 - Or other similar E.g. LRAP – Loan Repayment Assistance Program
 - Something akin to the Chicago “Investing in Justice Campaign”



- <https://chicagobarfoundation.org/campaign/>
- See also attached
- (If we decided to move forward, I also think some research on effective bar foundation campaigns should be done)

ATJC Future Goals

Several ideas were surfaced to help make the ATJC the most effective it can possibly be. They include:

- Surveying Commission members on the top needs they are seeing and target priorities
- Design Commission meetings to be more participatory v. report-out oriented
 - There is a “Justice Gap”, best ideas to address
- Continued work on fundraising
- Refreshing the One Campaign to grow pro bono
 - Include publishing of pro bono hours taken/donations received v. goals from rule
- Work on policies/rules to systemically improve ATJ, support providers (limited practice rule)

Ideas should be focused on key ATJC charge areas:

- Assess needs
- Policies to improve
- Improve self-help and pro bono
- Increase awareness
- Pursue funding
- Recommend legislation

Other

- Research ability to partner with NFL on social justice/legal aid initiative
 - Las Vegas Super Bowl
 - Publicity for legal aid profile-raising – player visits, legal aid day, etc.
- LSC tech grant ideas – promotion of new statewide web self-help, add LL/T forms, make video conferencing/Skype consultations available, develop short “help” videos

SUPREME COURT OF NEVADA
JAMES W. HARDESTY, JUSTICE
201 SOUTH CARSON STREET
CARSON CITY, NEVADA 89701-4702
(775) 684-1590
FAX (775) 684-1593



February 4, 2019

Assemblyman Jason Frierson
Speaker
Nevada Legislature
401 S. Carson Street
Carson City, NV 89701

Dear Speaker Frierson:

Thank you for your service to Nevadans and welcome to the 2019 legislative session. This past year, the Nevada Supreme Court Access to Justice Commission conducted a **Statewide Study of Civil Legal Needs and Economic Impacts of Low to Moderate Income Nevadans**. We believe you will find the information interesting and surprising. More importantly, it is information you can put to immediate use as you consider the many matters and votes that lie ahead this session.

The study shows that most of the *civil* legal needs of low to moderate income Nevadans go unmet. Key findings from the study:

- 400,000 Nevadans live in poverty at 100% of the Federal Poverty Level (\$12,140 for a single person)
- 1 in 3 Nevadans - almost 1 million (990,000) live in poverty below 200% of the Federal Poverty Level
- Poverty is spread across all urban and rural areas of Nevada
- In 2007 before the Great Recession 270,000 Nevadans lived in poverty, today that number is 400,000
- Senior citizens were hit hardest with a 100% increase in poverty since 2007
- Native Americans have seen an 80% increase in poverty

These facts mean increased problems with affordable housing, veterans' benefits, caring for children and seniors, healthcare, payday loans, consumer fraud, foreclosure, and more.

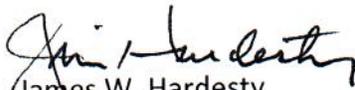
Often these problems turn into legal issues. In 2017, 147,000 low to moderate income (LMI) Nevadans faced legal issues. But when you're financially strapped, paying for an attorney is a luxury. While Nevada's legal aid providers have the capacity to close a large number of cases – 35,000 – 76% of the legal needs of LMI Nevadans go unmet.

The good news? Legal aid helps people avoid cascading problems, keeping people in their homes, employees on the job, and children in school; seniors, veterans and the disabled win benefits; and fraud and abuse are tackled. This reduces government spending and produces a \$7 return for every \$1 spent.

In criminal cases, right to counsel is provided for those unable to afford an attorney. The same is not true in *civil* cases, yet addressing civil issues can be determinative of life's success and help avoid government spending. Supporting civil legal redress is vital; it protects our vulnerable populations and fosters social stability that benefits all Nevadans. It is how "justice for all" is delivered, regardless of wealth, status, power or the ability to pay.

We have included the executive summary of the study for your review and to support your decision making.

Sincerely,


James W. Hardesty
Justice


Kristina Pickering
Justice

P.S. Find complete information from the legal needs study at www.nvbar.org and scroll to "Legal Research".

YOUR IOLTA ACCOUNT: What You Might Not Know

BY CONSTANCE AKRIDGE, PRESIDENT, BOARD OF TRUSTEES, NEVADA BAR FOUNDATION



When you ask most attorneys what they know about their IOLTA account (Interest on Lawyer Trust Account), they correctly characterize them, as follows:

- ✓ They hold client funds;
- ✓ IOLTA client funds must be held separately from other firm funds; and
- ✓ Funds cannot be commingled or borrowed.

But — did you know:

- **More than \$3 million in interest from IOLTA funds was distributed to legal aid providers in 2019?** The Nevada Supreme Court has designated the Nevada Bar Foundation as the entity responsible for managing IOLTA funds and making annual grants to statewide legal aid providers.
- **Last year, more than \$500 million resided in Nevada IOLTA accounts?**

- **Not all banks offer IOLTA accounts?** Banks that make this product available have agreed to support legal aid by paying a guaranteed interest rate of at least 0.70 percent.

IOLTA is actually a moderately new concept. It originated in Australia and Canada in the late 1960s and early 1970s. These countries' programs were designed to leverage interest paid on lawyer trust accounts

to pool funds to offer legal services to the poor. In the U.S., Florida launched the first IOLTA program in 1981. Soon after, several other states followed suit, and today, all 50 states, the District of Columbia and many U.S. territories have IOLTA programs. IOLTA-type accounts now operate around the world.

For legal matters in which a large amount of funds is retained, or funds that will be held for long periods of time, it makes sense and is proper to take the time and incur the expense of setting up an individual trust account for that matter. But for cases where the amounts are small or will be held for only a short period, it would be impractical and costly for attorneys to set up individual accounts.

Sometimes attorneys do feel that interest should be returned to the client or shared with the attorney, but that would require exacting accounting and meticulous paper trails. At the end of the day, most accept that the additional time

commitment and risk is not worth the nominal dollars that would be returned on these smaller amounts. Before IOLTA programs, small funds were pooled and placed into non-interest-bearing checking accounts.

But why shouldn't the money be put to work for somebody? The concept of IOLTA is that many small funds combine into much larger macro funds within a state or region to earn favorable interest, and interest from those accounts creates dollars for those in need.

Many attorneys do not fully realize that significant sums of money are generated by IOLTA. IOLTA accounts deliver critical value by supporting legal aid for the low-income population unable

Many attorneys do not fully realize that significant sums of money are generated by IOLTA. IOLTA accounts deliver critical value by supporting legal aid for the low-income population unable to pay for an attorney in civil matters.

to pay for an attorney in civil matters.

In criminal cases, right to counsel is provided for those unable to afford an attorney. The same is not true in civil cases, yet many civil issues can determine life's success and parlay into government savings, including child custody and support, bankruptcy due to fraud or predatory practices, foreclosure, elder abuse and accessing veterans' benefits.

In Nevada, we are lucky to have the support of the Nevada Supreme Court and many financial institutions that participate in IOLTA. Currently, to participate in IOLTA, partnering financial institutions agree to pay at least 0.70 percent on IOLTA

continued on page 28

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WE KNOW HOW TO MAKE AN IMPACT

THEY MAKE THE IMPACT POSSIBLE

PARTICIPATING FINANCIAL INSTITUTIONS

- American First National Bank
- Bank of America
- Bank of George
- Bank of Nevada
- Bank of the West
- BMO Harris Bank
- Citibank
- City National Bank
- East West Bank
- Financial Horizons Credit Union
- First Foundation Bank
- First Independent Bank of Nevada
- First Savings Bank
- First Security Bank of Nevada
- Heritage Bank
- JPMorgan Chase & Co.
- Kirkwood Bank of Nevada
- Meadows Bank
- Mutual of Omaha
- Nevada Bank & Trust
- Nevada State Bank
- Northern Trust Bank
- Pacific Premiere Bank
- Plumas Bank
- Royal Business Bank
- Silver State Schools Credit Union
- Town and Country Bank
- Umpqua Bank
- US Bank
- Valley Bank of Nevada (BNLV)
- Washington Federal
- Wells Fargo

EVERY DOLLAR

generated from IOLTA is donated by Nevada's participating financial institutions to the Nevada Bar Foundation.

\$2.5 MILLION

in IOLTA dollars is granted to qualified legal aid providers. Annually, that money provides

ACCESS TO JUSTICE

for **37,000 NEVADA HOUSEHOLDS** and for **38,000 LEGAL MATTERS** including:

9,500 DOMESTIC VIOLENCE cases

8,400 FAMILY LAW cases

6,400 HOUSING cases

1,400 CHILD ABUSE cases

LEARN MORE

about the work of the **Nevada Bar Foundation** and how you can give at: www.nevadabarfoundation.org

YOUR IOLTA ACCOUNT: What You Might Not Know

accounts. Three banks, Bank of Nevada, First Independent Bank and Meadows Bank have voluntarily increased their rates to 1.2 percent. It surprises many to learn that pooled Nevada IOLTA funds exceeded half a billion dollars in 2018!

Each year, interest from IOLTA generates money to help fund legal aid organizations. Last year, the Nevada Bar Foundation granted \$3.4 million to Nevada's legal aid providers, including Legal Aid Center of Southern Nevada, Nevada Legal Services, Southern Nevada Senior Law Program, Volunteer Attorneys for Rural Nevadans (VARN), and Washoe Legal Services.

Legal aid is part of truly delivering on the American promise of access to justice for all.

However, IOLTA represents just 16 percent of all Nevada legal aid funding. Other funding comes from filing fees, grants, events, State Bar of Nevada dues-check-off during license fee renewal and more. Annually, with IOLTA grant dollars alone, more than 35,000 households in Nevada are served.

Legal aid is important. It's important in Nevada, all across the nation and around the world. Legal aid is part of truly delivering on the American promise of access to justice for all, regardless of wealth, status, power or the ability to pay.

So next time you think about your IOLTA account – be sure to continue safekeeping the funds and only pay out according to the rules – but also know that IOLTA, through the legal community, plays a critical role in helping to deliver fair outcomes and create a just society.

Oh. And thank your bank for agreeing to participate in Nevada IOLTA and paying the interest that protects vulnerable populations, saves money and fosters social stability that benefits all Nevadans. **NL**

Access to Justice Commission Highlights for 032219 Meeting –

- Meadows Bank Increased IOLTA Rate
 - The increase was 50 basis points and has now matched the Bank of Nevada rate at 1.2%
- Nevada Bar Foundation Liaison Meetings Continue
 - Including IOLTA bank visits to Wells Fargo & Umpqua Bank in Reno
- Family Law Section ONE Campaign Pro Bono Thank You Event 12/6/18
 - Recognized family law attorneys taking pro bono cases in 2018 and developed 60 pledges to take a pro bono case in 2019
- Family Law Conference
 - 2019 - generated 46 pro bono cases taken and \$1650 raised
 - 2018 – generated 42 pro bono cases taken and \$1510 raised
- Attended ABA Midyear/National Association of IOLTA Programs
- Pro Bono Survey Actions Plan Developed
 - Took a couple of key actions from the pro bono survey, including
 - A new pro bono page featuring sample policies designed to inspire more policy development, thinking about pro bono, and taking cases
 - <https://www.nvbar.org/pro-bono-policy-samples/>
 - If you would like to share your pro bono policy email Brad Lewis at bradl@nvbar.org
 - New pro bono recognition and promotions for social media



-
- Nevada Bankers Association SaverLife Financial Education Partnership
 - Nevada Legal Services and Legal Aid Center of Southern Nevada will leverage the SaverLife program to assist legal aid clients set up an emergency savings account
 - For each month \$20 is saved, \$10 is added to their account for free for up to six months
- Justice Douglas Retirement Dinner
 - Sold out and raised ~ \$2500 that will be donated to the “pro bono dedicated” account at the Nevada Bar Foundation
- ATJC New Facebook Page Launched
 - In first three days, 161 people have been reached with 43 engagements



ACCESS TO JUSTICE COMMISSION

IOLTA Rate Review Meeting Recap - Draft
Monday, January 14, 2019 – 2:00 p.m.

Present

Justice James Hardesty
Justice Kristina Pickering
Connie Akridge
Julie Bobzien
Barbara Buckley
Noah Malgeri
Doreen Spears Hartwell

Staff Present

Kim Farmer
Brad Lewis

Justice Hardesty opened the call by welcoming Associate Chief Justice Kristina Pickering as the new Access to Justice Commission Co-Chair. Justice Pickering greeted the group and said she's happy to be joining. Justice Hardesty then acknowledged both the Nevada Bankers Association memo which the call was convened to discuss, along with the agenda and suggested instead, that he share an update from a recent bank meeting.

On Thursday, January 10 Justice Hardesty met with John Guedry, CEO of Bank of Nevada. Justice Hardesty sought insights into the current rate environment, how financial institutions look upon the hikes, and how they affect the bottom line. Justice Hardesty shared that the rate environment over the last 18 months has changed substantially, with the Federal Funds Target Rate (FFTR) increasing 1.2 basis points to the current rate of 2.5%. He added that a couple of additional rate adjustments are expected in 2019.

He learned from Mr. Guedry that while certain expenses increase for banks after rate hikes, for example FDIC insurance and overhead costs, that on the whole rate hikes affect banks quite favorably. As a rule of thumb, about 30% of the hike goes to costs, but 70% drops the bottom line. Mr. Guedry shared that each bump in the FFTR equals added profit to the financial institution.

Justice Hardesty shared that Mr. Guedry would be sending further research on this topic. Based on the current rate environment, the initial theory Mr. Guedry is operating under is that Nevada IOLTA could reasonably increase from .70% to 1.2%. Mr. Guedry supports this increase, and pledged to best that rate by 20 basis points in order to participate at a "leadership" level.

The discussion also included an understanding of "what goes up, must come down". If the FFTR rate goes up in the future, so would the ATJC rate. And the same in reverse, with the current .70% IOLTA rate being a "floor" rate. At the current level of IOLTA holdings, the increase to 1.2% would increase granting capacity from approximately \$3 million to about \$4.8 million per annum. Currently "favored accounts" at banks are receiving 2.0 – 2.1% interest on their accounts.

What is required to move forward is the information from Mr. Guedry, synthesis of same, a discussion with this group and the full Access to Justice Commission, and further work in outreach to other financial institutions. This process will take some time and will follow this path to advance.

After the full status update Justice Hardesty asked for feedback and all were supportive. Further information will be shared soon.

Memorandum

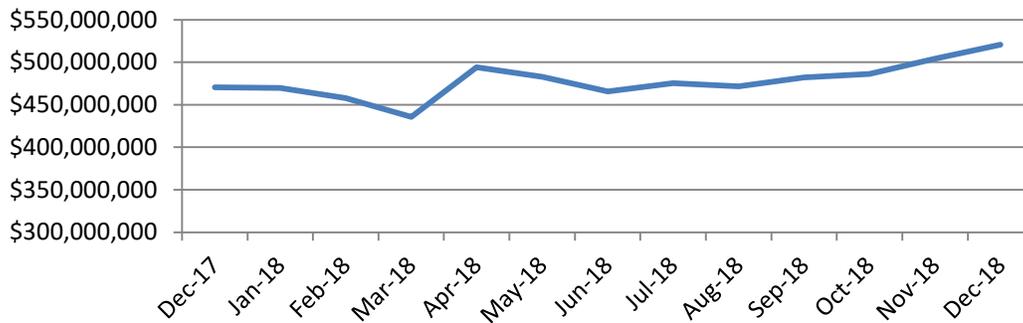
To: Access to Justice Commission and State Bar of Nevada
 From: Nevada Bar Foundation
 Date: Jan 23, 2019
 Prepared by: Matt Larson

Re: Monthly IOLTA Update

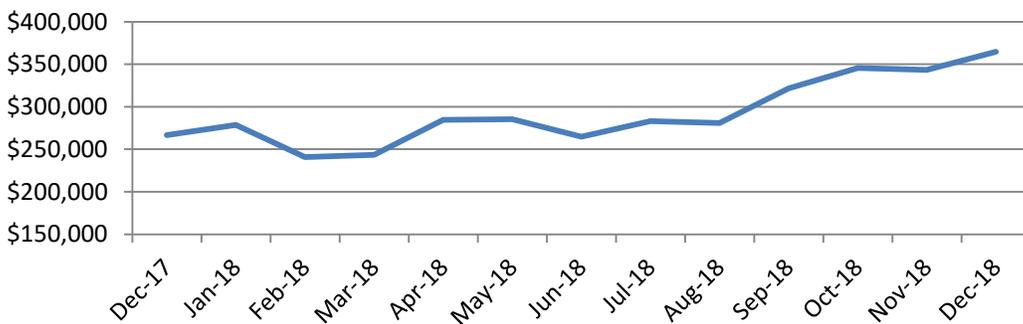
I. December 2018 IOLTA at-a-glance

	2018	2017
Total IOLTAs	2,998	3,032
Amount on deposit	\$520,702,787	\$470,436,006
Total reported interest accrued	\$364,703	\$266,745
Year-to-date remittance	\$3,535,433	\$2,826,994

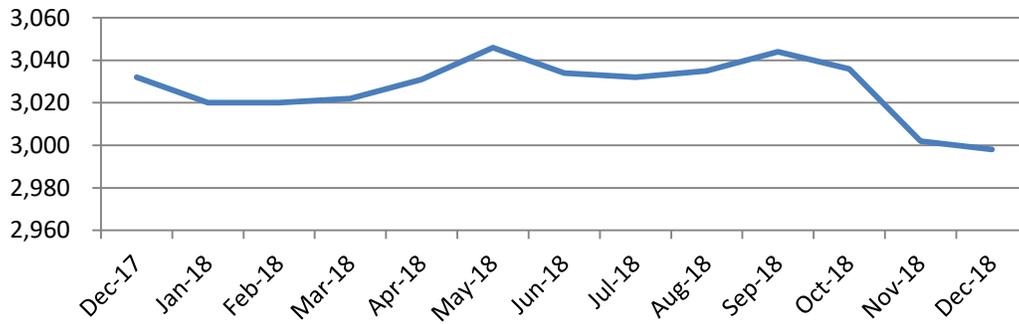
Amount On Deposit



IOLTA Revenue



IOLTA Accounts



II. Financial institutions meeting requirements set forth in Rule 217

A. Financial Institutions with *at least* 25 IOLTAs

Financial Institution	Accounts	Weighted Avg. Interest Rate	Total Bank Principal Balance	Remittance	YTD Remittance
Bank of America	527	0.70%	\$ 72,905,523.05	\$ 43,285.45	\$ 496,345.73
Bank of George	29	0.70%	\$ 15,929,938.60	\$ 9,468.17	\$ 95,701.11
Bank of Nevada/First Independent	362	1.20%	\$ 132,004,568.35	\$ 133,166.27	\$ 1,076,923.18
Bank of the West	43	0.69%	\$ 6,126,579.34	\$ 3,604.00	\$ 39,875.87
Chase Bank	182	0.70%	\$ 39,781,972.00	\$ 23,640.11	\$ 189,751.63
Citibank	60	0.70%	\$ 4,479,790.66	\$ 2,542.62	\$ 30,382.20
City National Bank	94	0.70%	\$ 33,654,337.00	\$ 20,008.92	\$ 216,179.41
Heritage Bank	55	0.70%	\$ 6,666,826.64	\$ 4,047.39	\$ 50,688.78
Meadows Bank	36	1.20%	\$ 5,448,760.87	\$ 5,062.74	\$ 60,614.48
Nevada State Bank	443	0.70%	\$ 66,223,716.47	\$ 37,966.97	\$ 402,058.18
U.S. Bank	223	0.75%	\$ 24,863,006.51	\$ 15,843.46	\$ 189,862.65
Wells Fargo	843	0.70%	\$ 92,931,610.57	\$ 53,109.19	\$ 565,725.99
TOTAL	2,897		\$ 501,016,630.06	\$ 351,745.29	\$ 3,414,109.21

B. Financial institutions with fewer than 25 IOLTAs[†]

Financial Institution	Accounts	Weighted Average Interest Rate	Total Bank Principal Balance	Remittance	YTD Remittance
American First National Bank	2	0.70%			\$ 150.61
Financial Horizons Credit Union	1	0.70%			\$ 698.59
First Foundation Bank	1	0.70%			\$ 1,928.90
First Savings Bank	5	0.75%			\$ 17,849.90
First Security Bank of Nevada	6	0.70%			\$ 4,847.05
Kirkwood Bank	2	0.70%			\$ 719.95
Mutual of Omaha	10	0.70%			\$ 1,217.36
Nevada Bank & Trust	8	3.50%			\$ 23,134.66
Northern Trust Bank, FSB	4	0.69%			\$ 2,446.62
Pacific Premier Bank	12	0.70%			\$ 18,060.55
Plumas Bank	4	0.70%			\$ 896.18
Royal Business Bank	2	1.53%			\$ 550.69
Silver State Schools Credit Union	6	0.70%			\$ 569.73
Town and Country Bank	5	0.70%			\$ 16,527.57
Umpqua Bank	13	0.70%			\$ 4,812.49
Valley Bank of Nevada	15	0.70%			\$ 26,068.78
Washington Federal Bank	5	0.70%			\$ 1,964.54
East West Bank*	0	0.00%			\$ -
TOTAL	101		\$19,686,156.52	\$12,957.48	\$122,444.17

*East West Bank does not currently hold any active IOLTA accounts

[†]IOLTA remittance or average amount on deposit is not reported for financial institutions with fewer than twenty-five IOLTAs to maintain attorney-client and financial institution-attorney confidentiality.

CIVIL LAW SELF-HELP CENTER STATISTICS

December 2018
12/01/2018 to 12/31/2018 (20 operating days)

General

Total number customer interactions (for month)	3560	Total number served in 2018	46,136
Total number of intake forms collected	39	% of parties returning forms	1%
Total number of intake forms sampled	39	% of collected forms sampled	1%

Biographical Data

Ethnicity:

White	9		23%
Black	8		21%
Hispanic	10		26%
Asian	2		5%
American Indian			0%
Other	4		10%
No Response Provided	6		15%

Age:

60 and over	8		21%
No Response Provided	8		21%

Annual Household Income:

Unemployed	11		28%
Under \$10,000	6		15%
\$10,000 to \$20,000	6		15%
\$20,000 to \$30,000			0%
\$30,000 to \$40,000			0%
\$40,000 to \$50,000	2		5%
\$50,000 plus	1		3%
No Response Provided	13		33%

Court Case Pending In:

District Court	4		10%
Justice Court	2		5%
Las Vegas	10		26%
Henderson	2		5%
North Las Vegas			0%
Other	2		5%
No Case or No Response Provided	19		49%

Number of Visits to the SHC:

One	5		13%
Two			0%
Three	2		5%
More	2		5%
No Response Provided	2		5%

Reason for Visit to the SHC:

Appeal	1		3%
Auto Sale/Lease, Repair, Towing			0%
Consumer Debt or Loan			0%
Contract Dispute			0%
Employment Dispute			0%
Foreclosure Mediation Assistant			0%
Garnishment or Execution			0%

Guardianship			0%
Harassment or Protection Order	1		3%
Homeowner Eviction	2		5%
Judicial Review			0%
Landlord/Tenant Dispute or Eviction	8		21%
Mediation			0%
Mobile Home Sales, Repairs, or Eviction			0%
Personal Injury/Property Damage			0%
Probate			0%
Small Claims Case	3		8%
Other	6		15%
No Response Provided	18		46%

Satisfaction Data

Out of total providing satisfaction information:

The staff was knowledgeable, helpful and understandable:			
Strongly Agree	11		28%
Agree			0%
Disagree			0%
Strongly Disagree			0%
No Opinion			0%
No Response Provided			0%

The forms and other written materials at the Self-Help Center were clear, helpful, and instructional:			
Strongly Agree	11		28%
Agree			0%
Disagree			0%
Strongly Disagree			0%
No Opinion			0%
Did Not Receive Forms or Materials this Visit			0%
No Response Provided			0%

Overall satisfaction:			
Very Satisfied	17		44%
Satisfied	8		21%
Unsatisfied			0%
Very Unsatisfied			0%
No Response Provided	14		36%

Other Comments and Suggestions

Lauren was a very big help to me and I appreciate it. Very patient and informative. Also, I had another question and Marco helped me and he was also patient and informative. They were both GREAT!

The front desk was very helpful and considerate

Miss Stephany was a complete pleasure! Her warm and engaging personality with her knowledge, made a cumbersome process a breeze!

The self help center was so helpful to me. I feel so much better.

Pam was very approachable and did everything she could to make sure people had what they needed.

Marco was very nice and makes the experience feel like you're someone who matters.

Kat was and is extremely genuine and helpful. She creates a positive environment conducive to people getting things done efficiently

Please recognize Prescilla today. 1st visit!

Kat was very helpful with explaining how to fill out the forms and any additional information needed. It was very helpful and nice.

I love all of them. They are so helpful with beautiful spirits

Fast and very helpful

FAMILY LAW SELF-HELP CENTER STATISTICS

December 2018
12/1/2018 to 12/31/2018 (20 operating days)

General

Total number customer interactions (for month)	3467	Total number served in 2018	49,669
Total number of intake forms collected	108	% of parties returning forms	3%
Total number of intake forms sampled	108	% of collected forms sampled	100%

Biographical Data

Ethnicity:

White	24		22%
Black	35		32%
Hispanic	35		32%
Asian	2		2%
American Indian	2		2%
Other	8		7%
No Response Provided	2		2%

Age:

60 and over	5		5%
No Response Provided	20		19%

Annual Household Income:

Unemployed	16		15%
Under \$10,000	16		15%
\$10,000 to \$20,000	15		14%
\$20,000 to \$30,000	8		7%
\$30,000 to \$40,000	13		12%
\$40,000 to \$50,000	11		10%
\$50,000 plus	16		15%
No Response Provided	13		12%

Number of Visits to the SHC:

One	37		34%
Two	17		16%
Three	13		12%
More	24		22%
No Response Provided	17		16%

Reason for Visit to the SHC:

Adoption			0%
Annulment			0%
Child Support	3		3%
Custody	24		22%
Divorce	61		56%
Domestic Partnership			0%
Foreign Judgment			0%
Guardianship	12		11%
Juvenile Matters			0%
Legal Separation	1		1%
Name Change	3		3%
Paternity	1		1%
Termination of Parental Rights			0%
Visitation	1		1%
Other	2		2%

No Response Provided			0%
Satisfaction Data			
Out of total providing satisfaction information:			
The staff was knowledgeable, helpful and understandable:			
Strongly Agree	92		85%
Agree	11		10%
Disagree			0%
Strongly Disagree			0%
No Opinion	1		1%
No Response Provided	4		4%
The forms and other written materials at the SHC were clear, helpful, and instructional:			
Strongly Agree	84		78%
Agree	20		19%
Disagree			0%
Strongly Disagree			0%
No Opinion			0%
Did Not Receive Forms or Materials this Visit	1		1%
No Response Provided	3		3%
I understand the court process and my situation better now than before I came to FLSHC			
Strongly Agree	74		69%
Agree	25		23%
Disagree	2		2%
Strongly Disagree			0%
No Opinion	4		4%
No Response Provided	3		3%
Overall Satisfaction			
Very Satisfied	88		81%
Satisfied	15		14%
Unsatisfied			0%
Very Unsatisfied			0%
No Response Provided	5		5%
Other Comments and Suggestions			

Carla & Gicola are very helpful I appreciate them!

Guadalupe was willing to help on her last minute and was a pleasure to be around.

I appreciate the patience that Celina had with me and all my mistakes this morning she is great

I was very happy & satisfied with the help I received! Celina helped me understand the paper work I needed, and had me come back to better assist me! :) I was overall very happy.

The staff is wonderful here. Vey helpful & compassionate!@!! Thank you!!!

I was completely satisfied with the service. They were very clear and helpful.

Awesome, respectful help.

Self help was wonderful! Without everyone there our guardianship process would have been an even worse experience.

Guadalupe was very professional, informative and attentive.

Family law self help center was very helpful today.

I'm thankful for this place. As it has helped me my grandson. My brother & his son.

They are so helpful and very nice people. They have helped me so much I am grateful for them. Gicola is so smart and nice.

Guadalupe is always very helpful when I come to the self-help center. She is amazing :) Thank you

I like that this service is available to help me file all the document correctly.

She was the biggest help took stress off my shoulders.

Thank you ladies for all you do.

The gal working #13 window was so patient & helpful. She took such care and interest in trying to help me! I am very pleased at the service I received today.

Staff was very helpful, I'm very grateful!

Gicola was excellent. She gave us the step by step.

Cynthia was very nice & very helpful.

Lisa was amazing in self help. She explained everything to me. Thanks so much

She was very very helpful on everything clear and understood next step and on. Thank you :) so much

Cynthia is amazing. She provides a very professional legal aid. She is very knowledgeable, kind & patient. I appreciate her help very much! Thank you Cynthia for all your help & dedication.

Staff is very helpful and a great support for those of us that are trying our best to make it through this difficult time.

Miss Guadalupe was very helpful and answered all my questions.

I was well informed and helped by staff.

Gicola is a very professional individual that can make a person that's going through a tough time, really be encouraged.

The self help center is a great place for family & friends to go to for legal help and Karla was a very great help with me also the lovely women at the desk help me out greatly. Thanks! :)

I use the self help center website frequently but I have not been in the self help center in person since 2003 or so. The changes are incredible. Much more welcoming and warm. The written materials were easy to understand. It's incredible and definitely making a difference.

Carla & Gicola are the best! Very patient and professional.

Celina is a wonderful person and goes above and beyond

SECOND JUDICIAL DISTRICT COURT STATISTICS

WASHOE COUNTY LAW LIBRARY IN PERSON VISITS JANUARY - DECEMBER 2018

TIME	GENERAL PUBLIC	ATTY OR OTH LGL PROF	TOTAL
8:00 AM - 10:00 AM	1563	149	1712
10:00 AM - 12:00 PM	3858	266	4124
12:00 PM - 3:00 PM	4427	238	4665
3:00 PM - 5:00 PM	4547	151	4698
5:00 PM - 7:00 PM	2384	34	2418
TOTAL			17617

WASHOE COUNTY LAW LIBRARY TELEPHONE CALLS

TIME	GENERAL PUBLIC	ATTY OR OTH LGL PROF	TOTAL
8:00 AM - 10:00 AM	445	21	466
10:00 AM - 12:00 PM	614	36	650
12:00 PM - 3:00 PM	560	32	592
3:00 PM - 5:00 PM	276	29	305
5:00 PM - 7:00 PM	26	2	28
TOTAL			2041

LAWYER IN THE LIBRARY

PROGRAMS	PARTICIPANTS	PARTICIPANTS TURNED AWAY
Family Law	810	28
General Law	428	57
Probate	71	2
TOTAL	1309	87

WASHOE COUNTY LAW LIBRARY ELECTRONIC USAGE

ELECTRONIC USAGE	TOTAL
Circulation of Books	341
EBSCO	108
Email- Ask a Librarian	64
Inhouse Usage	1020
Internet/ Contexte	1382
Westlaw Searches	15,640
TOTAL	18555

SECOND JUDICIAL DISTRICT COURT STATISTICS

WASHOE COUNTY LAW LIBRARY REFERENCE JANUARY - DECEMBER 2018

REFERENCE QUESTIONS	GENERAL PUBLIC	ATTY OR OTH LGL PROF	TOTAL
Family Law			
Adoption/ Termination of Parental Rights	82		82
Answers	74		74
Child Custody	193	2	195
Child Support	70		70
Divorce/ Annulment/Separation	290	1	291
Domestic Violence/TPO/EPO	133	1	134
Family Court Procedures/Packets	461	2	463
Guardianships Adult/Minor	208		208
Name Change Adult/Minor	161		161
Motions/Notice/Emergency	319		319
Oppositions/Objections	32		32
Law Library Reference			
Appeals	28		28
Civil Complaints/Petitions	134		134
Civil Procedure/State/Federal	83	6	89
Civil Rights/Constitutional Law	17	1	18
Contract	11	2	13
Criminal Law and Defense	57	2	59
Employment/Labor	11	4	15
Immigration	10		10
Landlord/Tenant Rights	93	2	95
Medical	10		10
Military/Veterans Rights	7		7
Personal Injury/Damages	10	2	12
Probate/Wills/Trusts/Estate Planning	154	1	155
Rogue Title	88	1	89
Sealing of Criminal Record	138	4	142
Law Library Services			
Liberty Catalog/Circulation	215	226	441
Copier Use/ Change	1437	76	1513
Internet/ Contexte	1295	87	1382
Lawyer in the Library Info./Referrals	678	6	684
Westlaw	349	536	885
Other Functions			
Copies of Court Records	61	0	61
Referrals To Other Services/NLS/WLS	237	0	237
Other	670	88	758
TOTAL			8866

SECOND JUDICIAL DISTRICT COURT STATISTICS

SELF HELP CENTER IN PERSON VISITS

YTD 2018

1/1/18 - 12/31/18

DATE	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	TOTAL
1/1/18 - 12/31/18	2375	2048	1608	1573	758	8362
						0
						0
						0
						0
					TOTAL	8362

SELF HELP CENTER IN PERSON VISITS BY TIME

DATE	1/1/18 - 12/31/18					TOTAL
8:00 AM - 10:00 AM	193	347	328	336	201	1405
10:00 AM - 12:00 PM	364	634	558	589	343	2488
12:00 PM - 3:00 PM	383	761	686	629	434	2893
3:00 PM - 4:30 PM	233	386	343	368	246	1576
					TOTAL	8362

SELF HELP CENTER TELEPHONE CALLS

TIME	GENERAL PUBLIC	ATTORNEY OR OTHER LGL PROF	TOTAL
8:00 AM - 10:00 AM	1549	32	1581
10:00 AM - 12:00 PM	1514	28	1542
12:00 PM - 3:00 PM	1448	34	1482
3:00 PM - 4:30 PM	824	9	833
		TOTAL	5438
Downloads from Website	TOTAL	43561	

SECOND JUDICIAL DISTRICT COURT STATISTICS

SELF HELP CENTER QUESTION TYPE

YTD 2018

1/1/18 - 12/31/18

NATURE OF PROBLEM	GENERAL PUBLIC	ATTORNEY OR OTHER LGL PROF	TOTAL
Adoption - Adult	33		33
Adoption - Minor	108	1	109
Alimony / Spousal Support	25		25
Annulment	80	1	81
Answers / Oppositions	468	1	469
Case Management Conference	107		107
Child Support	501	5	506
Court Hearings	836	3	839
Default	116	2	118
Divorce - Complaint	855	7	862

Divorce - Joint Petition	673		673
Domestic Violence / TPO	620	2	622
Ex Parte Motions	582	7	589
Fee Waiver	429		429
Grandparent's Visitation	82		82
Guardianship - Adult	299	1	300
Guardianship - Minor Child(ren)	705	4	709
Jurisdiction- Child	72	1	73
Jurisdiction - Family	44		44
Mediation	105		105
Motion	1590	1	1591
Name Change - Adult	185	1	186
Name Change - Minor	172	2	174
Notary	357		357
Objection to Master's Recommendation	86		86
Other	2483	81	2564
Paternity	113		113
Petition to Correct Birth Certificate	40	1	41
Petition to Domesticicate a Foreign Decree	25		25
Petition to Establish Custody and Visitation	1111	3	1114
Settlement Conference	45		45
Spanish Speaking General Public	187		187
Stalking / Harassment	24		24
Stipulations	123	1	124
Subpoena / Deuces Tecum	23	1	24
Termination of Parental Rights	170	1	171
Trial	26		26
Nevada Legal Services Forms Clinic	131		131
Washoe Legal Services Forms Clinic	178		178
		TOTAL	14213

STATE BAR OF NEVADA

Annual Report 2018

BOARD OF GOVERNORS

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702.382.2200

RENO

9456 Double R Blvd. | Suite B
Reno, NV 89521
775.329.4100

TOLL FREE: 800.254.2797 • NVBAR.ORG

BY THE NUMBERS

9,056 Active attorneys

2,462 Inactive attorneys

195 Certified attorneys

926 Suspended attorneys

50 Average age

66 Percent male

34 Percent female

47.05 Percent in Clark County

17.14 Percent in Washoe County

2.64 Percent in Carson City

2.94 Percent in rural counties

30.23 Percent out-of-state

1,752 Ethics Hotline calls received

11,227 Lawyer Referral Service (LRIS) calls received

\$88,645 Donated to civil legal aid through members' dues check-off

12 Therapists and physicians supporting attorney wellness

2,426 Members reported **117,132** hours of direct pro bono representation to persons of limited means

980 Members reported **59,500** hours of reduced-rate service to the community, improving the law or law-related education

33,500 Attorney volunteer hours to state bar programs

4,038 Members belong to **24** sections

335 Attorneys serve as Transitioning Into Practice (TIP) mentors

3,572 Volunteers serve on boards, panels and committees

1,485 Grievances received by the Office of Bar Counsel

65 Hearings held by discipline panels



Our MISSION:

To govern the legal profession, serve our members and protect the public interest.

Service

- The Access to Justice Commission completed the 2018 Statewide Study of Legal Needs and Economic Impacts of Low Income Nevadans. Designed to improve legal aid delivery, it is the first such study to be completed in Nevada in a decade.
- To facilitate paying annual license fees to the Nevada Board of Continuing Legal Education, collected dues on behalf of the board, resulting in significantly increased compliance.
- \$88,645 was donated to civil legal aid through members' dues check-off.
- 2,426 members reported 117,132 hours of direct pro bono representation to persons of limited means.
- 2,663 members reported taking a pro bono case through one of five legal aid providers.
- 980 members reported 59,500 hours of reduced-rate services to the community, improving the law or law-related education.
- Through the Access to Justice Commission, continued to help out-of-state victims of the Oct. 1 Las Vegas shooting making pre-arranged pro bono referrals.

Administration

- Processed 690 pro hac vice applications.
- Registered 196 MJP firms pursuant to RPC 7.5A (multijurisdictional law firms).
- Website visits totaled 428,388, with 180,325 unique users.
- The State Bar of Nevada's Facebook page's total lifetime likes increased from 968 at the end of 2017 to 1,208 at the end of 2018. Its number of total followers increased from 1,023 at the end of 2017 to 1,312 and the end of 2018.
- The State Bar of Nevada's Twitter followers increased from 1,711 in 2017 to 2,176 in 2018 and average daily impressions have grown from 988 to 1,800 in 2018.
- Bar leadership continued to collaborate with specialty and local bar leaders to promote events, share ideas, and to foster programs that promote diversity and inclusion.

Protection

- The Clients' Security Fund Committee reviewed 44 claims for reimbursement involving 20 attorneys who had been removed from practice.
- This year, the Clients' Security Fund Committee approved reimbursements totaling approximately \$9.8 million (capped at \$582,720 with the per-claim cap). Client reimbursements resulted primarily from three suspended attorneys.
- The Clients' Security Fund received \$171,465 in restitution from attorneys who have returned to practice.
- More than 150 volunteer attorneys and laypersons serve on the statewide Fee Dispute Committee statewide. The program's free services resolve more than 100 matters annually.
- The Fee Dispute program successfully resolved nearly 60 claims through mediation or settlement, reducing the timeframe for resolution. Fee Dispute claims are resolved within four months on average.
- The Office of Bar Counsel (OBC):
 - » Received 1,485 grievances;
 - » Screened 343 grievances for discipline; and
 - » Issued 60 Letters of Caution.
 - » Court-imposed discipline resulted in:
 - › 13 Public Reprimands
 - › 31 suspensions and
 - › Four disbarments.
 - » Processed 35 resignations
 - » Monitors 43 attorneys on probation and 16 conditional admittees
 - » Assisted in 10 practice takeovers from deceased or disabled attorneys and
 - » Recovered \$175,271.92 from attorneys for discipline costs and fines.
- There are currently 39 members of the Northern Disciplinary Board Committee and 74 members of the Southern Disciplinary Board Committee – they presided over 63 hearings and 25 screening panels this year.

Support

- Established a new wellness program that provides three free therapy sessions; confidential therapy for issues related to stress, anxiety and depression offered through contracted providers statewide.
- Mental health therapy and clinical assessment services now available through Nevada Lawyers Assistance Program (NLAP) via secure videoconference, providing confidential assistance to attorneys located in rural Nevada or for those who prefer online services.
- Conducted more than 25 NLAP outreach activities, including CLE presentations and articles statewide.
- Began holding newly formed 12-step meeting at state bar's Las Vegas office after hours; attorneys seeking support attend weekly.

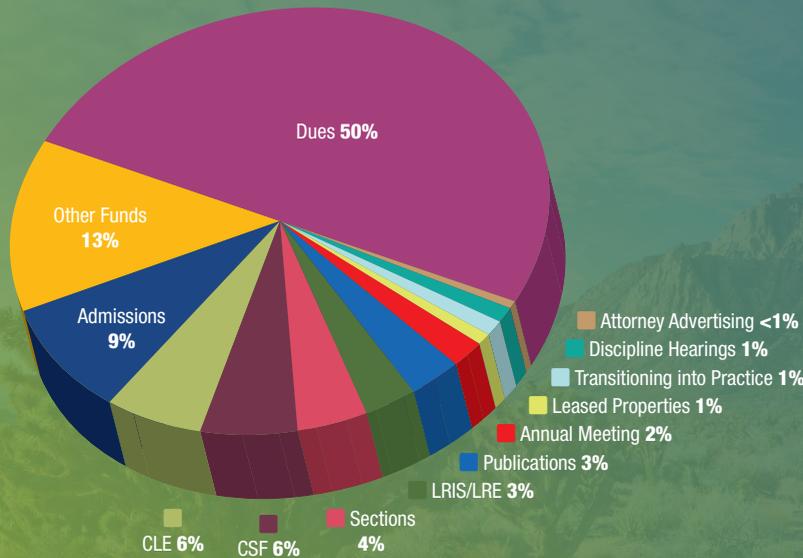
Support

- Partnered with the Access to Justice Commission, Legal Aid Center of Southern Nevada, Nevada Legal Services, Southern Nevada Senior Law Program, VARN, Washoe Legal Services and UNLV William S. Boyd School of Law in support of more than 70 statewide events in observation of Pro Bono Celebration 2018.
- The Nevada Bar Foundation granted \$3.4 million in IOLTA dollars to statewide legal aid programs serving low-income Nevadans in need of legal services.
- Using dollars received from the Bank of America settlement, the Nevada Bar Foundation distributed more than \$920,000 to fund legal aid programs supporting community redevelopment and foreclosure prevention.
- The Access to Justice Commission and the Nevada Bar Foundation partnered in bank liaison efforts to build relationships with Nevada IOLTA-participating financial institutions. As a result, Bank of Nevada, First Independent Bank and Meadows Bank voluntarily raised interest paid on IOLTA accounts, which is projected to increase funding for legal aid annually by \$600,000.
- In partnership with the Nevada Bar Foundation, hosted the 2018 National High School Mock Trial Championship in Reno, Nevada, raising more than \$228,000 in donations to host the competition.
- Hosted the 2018 National High School Mock Trial Championship, and recruited 250 attorneys and 125 community volunteers to serve as competition judges and courthouse officials; volunteers donated 7,315 hours of time to the event.
- Two Nevada high school teams advanced to the We the People national competition, taking home two of six available unit awards.
- The Lawyer Referral and Information Service received 11,227 calls and referred callers to 200 panel attorneys.
- Career Center, a member benefit provider, posted 247 jobs and received 577 resumes. More than 470 employers and 1,277 job seekers accessed the site.
- Fastcase, a member benefit provider that provides a free legal research database, had 120,043 log-ins through November with 61,965 cases searched and 332,145 documents viewed.
- A combined 90 law firms and solo practitioners are using Clio, a member benefit provider that offers practice management software.
- Conducted a Pro Bono Survey designed to seek data regarding pro bono participation and recognition.
- Released two new editions of reference manuals: the Nevada Appellate Practice Manual and Nevada Jury Instructions: Civil.
- Produced a new update to the Nevada Civil Practice Manual's Sixth Edition in partnership with LexisNexis, working with more than 40 volunteer attorney editors, authors and reviewers.
- Worked with the Family Law and Real Property Sections, and the Paralegal Division to publish six custom digital newsletters and journals, featuring recent developments in the law and section activities.
- Published 12 issues of *Nevada Lawyer* magazine, covering items of interest and importance to the Nevada legal community, including issues on attorney wellness, technology, admissions, sports law, the First Amendment, and more.
- Published a new regular column in *Nevada Lawyer* featuring perspectives on the Rule of Law from notable attorneys across the state.
- Published 51 issues of the state bar's weekly eNews, providing news to engage bar members and help improve their practices. In 2018, the "click-through" rate of the eNews increased from 4.99 percent to 7.2 percent – significantly higher than the national all-industries average of 4.19 percent.

Ethics/Professionalism

- Admitted 267 new licensees.
- Produced a total of 43 different live seminars and conferences.
- Offered 144.5 CLE credits in live programming comprised of 117.5 general, 15 ethics and 12 substance abuse, addiction disorders and mental health.
- Welcomed more than 2,000 attendees at live CLE programs throughout the year.
- Partnered with 13 state bar sections to produce 23 CLE programs.
- Published six new CLE articles in *Nevada Lawyer* including one ethics topic and two on substance abuse, addiction or mental health topics.
- More than 200 speakers delivered timely and relevant CLE programming.
- Partnered with the Family Law Section for the 29th Annual Family Law Conference in Bishop, California, generating 44 pro bono cases and raising \$1,500 for the One Campaign.
- CLE Committee members and seminar speakers volunteered approximately 500 hours of time throughout the year to deliver relevant and practice-specific programs.
- The Litigation Section held a five-part seminar series in 2018 that focused on trial skills.
- The Transitioning into Practice (TIP) mentorship program had 230 newly admitted attorneys complete the program in 2018; another 88 attorneys are currently enrolled.
- The Nevada Supreme Court appointed 22 qualified attorneys to serve as TIP mentors in 2018, with an additional 17 pending appointment. Also, an additional 225 TIP mentors were re-appointed by the state bar's Board of Governors this year. The State Bar now has more than 335 attorneys serving as TIP mentors.
- Implemented online filing for lawyer advertising and successfully petitioned the court (ADKT 0527) to charge a filing fee, offsetting the state bar's regulatory expenses.
- The Advertising Committee received nearly 330 filed advertisements, including eight requests for advance opinions, up from prior year requests.
- Successfully petitioned the court (ADKT 0531) to provide temporary certification for attorney spouses of active duty military personnel stationed within the State of Nevada.
- Filed an ADKT with the Nevada Supreme Court that would have made professional liability insurance mandatory for all private-practice attorneys and engaged in dialog regarding the benefits and potential consequences of such a program.
- Filed an ADKT with the Nevada Supreme Court that would have put in place random trust account audits as a public protection measure. In its place, educational guidance materials are in development.
- Evaluated the rules for limited practice certification and filed ADKT 0538 with the Nevada Supreme Court that streamlines for consistency and clarifies requirements for limited practice certification rules.
- Formed a taskforce to review the Nevada Rules of Civil Procedure and submitted comments to the Nevada Supreme Court (ADKT 0522) regarding issues specific to practice in Nevada.
- Formed the Past President's Council, which will explore concepts related to professionalism, history of the profession in Nevada, diversity and pro bono legal service support.

INCOME*

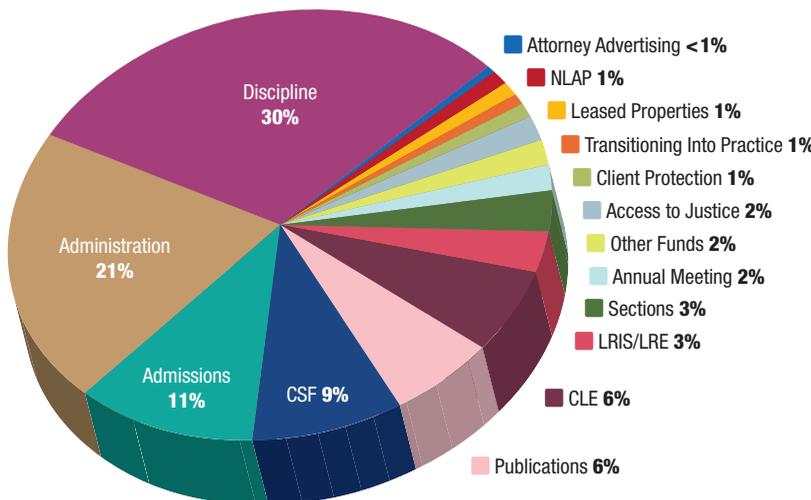


*This chart does not equal 100 percent due to rounding.

Dues	\$3,749,250
Other Funds	\$977,600
Admissions	\$709,500
CLE	\$449,300
CSF	\$415,900
Sections	\$306,400
LRIS/LRE	\$253,200
Publications	\$196,100
Annual Meeting.....	\$178,400
Discipline Hearings.....	\$101,800
Transitioning Into Practice.....	\$78,300
Leased Properties.....	\$61,700
Attorney Advertising.....	\$25,100

TOTAL INCOME **\$7,502,550**

EXPENSES



Discipline	\$2,051,600
Administration	\$1,469,800
Admissions	\$777,400
CSF	\$583,100
Publications	\$400,300
CLE	\$396,500
Sections	\$238,800
LRIS/LRE	\$237,800
Annual Meeting	\$166,800
Other Funds	\$132,400
Access To Justice	\$108,900
Client Protection	\$83,800
Transitioning Into Practice	\$71,100
NLAP	\$65,300
Leased Properties.....	\$37,600
Attorney Advertising	\$20,900

TOTAL EXPENSES **\$6,842,100**

*Not including depreciation

ASSETS, LIABILITIES & NET ASSETS

Current Assets	Cash, accounts receivable, prepaid expenses, investments <small>*note that approximately \$2,300,000 are designated funds and not intended to be used for general operations of the State Bar of Nevada. \$2,000,000 are 2019 deferred dues.</small>	\$6,197,000
Land, Buildings, Property & Equipment	Land and buildings in Las Vegas and Reno, building improvements, furniture, equipment and software less depreciation	\$6,322,000
Other Assets		\$0
TOTAL ASSETS		\$12,519,000

Current Liabilities*	Accounts Payable, deferred revenue, payroll accruals	\$3,039,000
Long-Term Liabilities	Notes Payable	\$0
Total Liabilities		\$3,039,000
Net Assets		\$9,480,000
TOTAL LIABILITIES & NET ASSETS		\$12,519,000

Based on unaudited 2018 year end financial statements.



2018 ANNUAL REPORT



EXECUTIVE SUMMARY

Serving as the 501(c)(3) charitable arm of the State Bar of Nevada, the Nevada Bar Foundation (NBF) supports access to justice and legal education programs. The Foundation also serves as the Nevada Supreme Court appointed foundation responsible for management of Nevada's Interest on Lawyer Trust Account (IOLTA) program.

2018 Highlights:

- **\$3.4 million in IOLTA grants** awarded to statewide legal service organizations – the **highest amount ever granted** by a foundation responsible for administering Nevada's IOLTA program.
- Three participating banks: **Bank of Nevada, First Independent Bank of Nevada** and **Meadows Bank** voluntarily offered IOLTA interest rates of 1.2% which will result in an estimated \$500,000 increase in interest paid to the Foundation annually.
- Funding from **Bank of America grants** have **served more than 5,000 individuals, small businesses and non-profit organizations** to date.
- The NBF partnered with the State Bar of Nevada to host the **National High School Mock Trial Championship** in Reno, NV. More than **250 members from Nevada's bench and bar** served as competition judges and another 125 community volunteers worked behind the scenes.

BOARD OF TRUSTEES

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LISA DREITZER
Deputy Executive Director

IOLTA

Nevada has benefitted from the longstanding commitment from its partner financial institutions. These banks have committed to paying a guaranteed interest rate on IOLTA of 0.70 percent – a rate that has remained consistent throughout the great recession. **This year, three participating banks: Bank of Nevada, First Independent Bank of Nevada and Meadows Bank announced their renewed commitment to pro bono legal services by voluntarily offering IOLTA interest rates of 1.2 percent – which will result in an estimated \$500,000 increase in interest paid to the Foundation annually.**

BANKING PARTNERS

- American First National Bank
- Bank of America
- Bank of George
- Bank of Nevada
- Bank of the West
- BMO Harris Bank
- Citibank
- City National Bank
- East West Bank
- Financial Horizons Bank
- First Foundation Bank
- First Independent Bank of Nevada
- First Savings Bank
- First Security Bank of Nevada
- Heritage Bank
- JP Morgan Chase & Co.
- Meadows Bank
- Mutual of Omaha
- Nevada Bank and Trust
- Northern State Bank
- Northern Trust Bank
- Plaza Bank
- Plumas Bank
- Royal Business Bank
- Silver State Schools Credit Union
- Town and Country Bank
- Umpqua Bank
- US Bank
- Valley Bank of Nevada (BNLV)
- Wells Fargo



IOLTA Grant Awards \$3.4 Million

CASA – Lyon County	\$15,000
CASA – Pioneer Territory	\$16,968
CASA – Northeastern Nevada	\$11,022
Domestic Violence Resource Center	\$17,386
Legal Aid Center of Southern Nevada	\$1,831,920
Nevada Legal Services	\$469,200
Nevada Rural Counties RSVP Program	\$25,000
Safe Nest	\$30,624
Southern Nevada Senior Law Program	\$261,460
UNLV Boyd School of Law	\$20,000
Volunteer Attorneys for Rural Nevada	\$200,260
Washoe County Legal Services	\$501,160

IOLTA Works for Nevada

Nominal dollars held by attorneys for short periods of time are held by Nevada attorneys in IOLTA trust accounts. Those small sums add up quickly – **more than \$520 million was held in Nevada trust accounts at the end of 2018**. The interest earned on IOLTA goes to work for Nevadans in need of pro bono civil legal services.

County	Households Served
Carson City	733
Churchill	53
Clark	22,542
Douglas	100
Elko	184
Esmeralda	2
Eureka	7
Humboldt	265
Lander	62
Lincoln	8
Lyon	156
Mineral	203
Nye	17
Pershing	15
Storey	27
Washoe	1,424
White Pine	5
	25,803

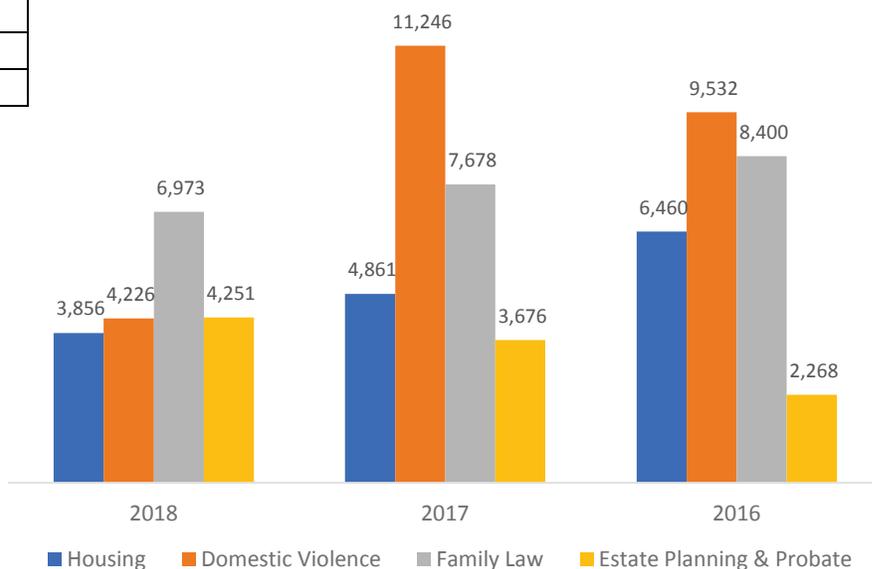
SERVICE DELIVERY

Pro bono service organizations make a variety of options available for clients to receive the help they need. For example:

- More than 2,800 clients participated in classes and clinics.
- Ask a Lawyer and Lawyer in the Lobby events served 2,674 clients.
- More than 16,000 clients found support at self-help centers.

LEGAL MATTERS

Civil legal needs can vary greatly. However, trends have developed over the past three years, including a decrease in housing and family law matters and increase in estate planning and probate issues affecting our older citizens.



YEAR	AMOUNT AWARDED
2019	\$3,400,000
2018	\$2,665,500
2017	\$2,588,990
2016	\$2,785,917
2015	\$2,942,055
2014	\$1,830,000
2013	\$1,844,901
2012	\$1,700,000
2011	\$1,601,640
2010	\$1,655,500
2009	\$1,074,500
2008	\$921,300

Annual IOLTA Granting

Since assuming IOLTA program, the Nevada Bar Foundation has granted \$14,382,462 to statewide pro bono organizations. By comparison, the previous five-year total was \$8,631,542.

Bank of America Grants

In 2017, the Nevada Bar Foundation awarded more than \$2.2 million to legal aid organizations that provide community redevelopment legal services and foreclosure prevention legal services under the terms set forth in a Bank of America settlement with the U.S. Department of Justice. Grants were awarded for one- and two-year terms. **Grant dollars funded Nevada's first medical legal partnership, as well as the first civil legal needs assessment to have been conducted in Nevada since 2008.** The civil legal needs report can be found [online](http://www.nvbar.org) at www.nvbar.org.



To date, **more than 5,000 individuals, small businesses and non-profit organizations have been served with these grant dollars.**

INDIVIDUALS SERVED January 2017 – December 2018	
FORECLOSURE PREVENTION LEGAL ASSISTANCE (Total Served)	408
Elderly:	204
Children:	0
Veterans:	0
Number of Foreclosures Prevented:	39
Number of Foreclosure Clients Benefitted in Other Ways:	165
COMMUNITY REDEVELOPMENT LEGAL ASSISTANCE (Total Served)	4,736
Elderly:	576
Children:	222
Veterans:	19
Number of Non-Profits Benefitted:	169
Number of Small Business Clients Benefitted:	1,262

NATIONAL MOCK TRIAL



This year marked the culmination of a three-year endeavor to bring the National High School Mock Trial Championship (NHSMTC) to Reno, Nevada for the first time in Nevada's 20 years of high school mock trial participation. This project was jointly administered by the State Bar of Nevada and the Foundation.

The event attracted teams consisting of more than 660 students and coaches and 500+ observers from across the nation, as well as from Guam, the Northern Mariana Islands and South Korea.

More than 250 members from Nevada's bench and bar were on hand to serve as competition judges and another 125 community volunteers worked behind the scenes on competition logistics.

The competition also brought in tremendous financial support through sponsorships. This support, combined with judicious spending, resulted in a net positive balance of \$69,477. The Foundation has dedicated these funds to the ongoing support of the state bar's high school mock trial program and for student travel to the statewide competitions.

FINANCE

Financial Information as of 12.31.18 (Unaudited)

CURRENT ASSETS	\$5,985,115
Cash & Cash Equivalents	
IOLTA	\$3,715,562
Non-IOLTA	\$321,665
IOLTA Reserves	\$800,000
Colleagues Funds	\$2,500
Bank of America Settlement	\$1,145,338
Accounts Receivable	\$376,470
Prepaid Expenses	(\$0)
Total Current Assets	<u>\$6,361,585</u>
PROPERTY & EQUIPMENT	
Flagpole & Podium	\$11,513
(Accumulated Depreciation)	(\$7,232)
Net Property & Equip.	<u>\$4,281</u>
TOTAL ASSETS:	<u>6,365,866</u>
CURRENT LIABILITIES	
Accounts Payable	\$3,438,653
FUND BALANCE	\$2,927,213
TOTAL LIABILITIES & FUND BALANCES	<u>\$6,365,866</u>

The NBF operates under an agreement with the State Bar of Nevada for program administration and IOLTA data management.

This relationship has enabled the Foundation to **consistently grant more than 97 percent of all IOLTA dollars** to legal aid organizations that provide services to the poor, to victims of domestic violence and to the children protected by or in need of protection of the juvenile court.

Public Awareness 032219 –

- **Twitter** - ATJC has increased its social media presence on Twitter. Since the November, 2018 report we have moved from 117,278 to 133,940 impressions and from 5,786 to 6178 profile visits. We encourage you to follow us **@NevadaATJ**.
- **Facebook** – Based on the growth of our Twitter account, the desire to extend our messaging reach, and the fact that some Nevada legal aid providers and others have only Facebook accounts, a 2019 goal for ATJC was to start a Facebook account. Our account was opened on Monday, March 11. In the first five days we have reached 494 people and had 247 engagements. Like us on Facebook by searching **Nevada Supreme Court Access to Justice Commission**.