



Nevada Supreme Court Access to Justice Commission

Meeting - Friday, November 6, 2020 2:00 PM – 4:00 PM

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Meeting ID: 975 9321 4048

Meeting Agenda

- | | | |
|--|-------------------|--------------|
| I. Opening Statements from Co-Chairs
& Commission Roll Call | 5 minutes | |
| II. Consent Agenda | 5 minutes | Tab 1 |
| • Approval of June 19, 2020 Commission Meeting Minutes | | |
| III. Discussion Items | | Tab 2 |
| • Eviction Mediation Program | 30 minutes | |
| ○ Hearing and Order | | |
| ○ Home Means Nevada – The Renter Connect | | |
| ○ Mediator Steps and Resources | | |
| • Statewide Technology and Self-Help Forms Committee | 20 minutes | |
| ○ American Bar Endowment grant application | | |
| ○ Committee survey findings | | |
| • CLE for Pro Bono Results | 10 minutes | |
| • Commission Membership Update | 10 minutes | |
| • Unbundled Services | 5 minutes | |
| • LSC Congressional Forum/Rural Access – Request | 5 minutes | |
| • CARES Act Fund Status/Use Plan Before 12/31/20 | 10 minutes | |
| IV. Reports | 10 minutes | Tab 3 |
| • IOLTA | | |
| V. Other Business | 5 minutes | |



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VI. Informational Items

Tab 4

- Legal Aid Provider Highlights
- Self-Help Center Statistics
 - The Civil Law Self Help Center has been busy with tenants seeking help with evictions. The week of October 19, we helped more than 1,100 tenants in 4 days (the Center is closed on Fridays). On Monday, October 26, the Center saw a record 334 in-person customers in one day. These numbers do not include the customers who called in, online "chatted," and emailed.
- CLE for Pro Bono Procedure Update
- Nevada Bankers Association *The IOLTA Report*, June - October
- American Society of Association Executives Centennial Research Recognition of the *Statewide Study of Legal Needs and Economic Impacts*, ASAE Annual Meeting Session
- 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



ACCESS TO JUSTICE COMMISSION

Access to Justice Commission Meeting Minutes Friday, June 19, 2020 – 2:00 p.m.

Commission Members Present

Chief Justice Kristina Pickering
Justice James Hardesty
Connie Akridge
Latoya Bembry
Bobbette Bond
Julie Cavanaugh-Bill
Deonne Contine
Annamarie Johnson
Judge Joanna Kishner
Noah Malgeri
Joseph McEllistrem
Victoria Mendoza
Judge John Schlegelmilch
Judge E. Alan Tiras
Anne Traum
Adam Tully
Sugar Vogel
Judge Nathan Tod Young

Guests Present

Bailey Bortolin
Barbara Buckley
Chanteyl Hasse
Kelii Ota
Azra Ozdemir
Emily Reed
Greer Sullivan
Summer Youngquist

Staff Present

Brad Lewis

Call to Order/Roll Call/Minutes

The Access to Justice Commission (Commission) meeting was called to order. Justice Hardesty welcomed Deonne Contine, the new Washoe Legal Services executive director, and Greer Sullivan, the new president of the UNLV Public Interest Law Association. A roll call was conducted and approval of the March 6, 2020 minutes was requested. The minutes were adopted for the record.



Pro Bono and CLE for Pro Bono

The new CLE for pro bono rule promotions hit right at the beginning of COVID-19 and got lost in the shuffle. Chief Justice Pickering suggested reminders should be shared with/through NVCLE, the Clark County Bar Association, Washoe County Bar Association Elko County Bar Association, specialty associations, and sections, as well as in the State Bar of Nevada's eNews and *Nevada Lawyer*. Judge Kishner said she could communicate the availability of CLE via pro bono through her auspices. It was agreed a survey could help gauge knowledge of the program.

Most legal aid providers have seen an increase in demand for legal services with the onset of COVID-19. Legal Aid Center has seen a 20 percent increase in slots taken for Ask-A-Lawyer sessions. Nevada Legal Services reported a 50 percent increase in family law and landlord/tenant calls. In the north the numbers have been steadier but the concern is over what's to come. Southern Nevada Senior Law Program has been affected by the lockdown of long-term healthcare facilities.

Judicare

Justice Hardesty sought to better understand Nevada Legal Services (NLS) program, Judicare. Using CARES Act funds, the program offers up to 10 hours of attorney work paid at 50 percent of a standard hourly rate (currently \$150) to encourage case-taking during COVID-19. If the 10 hours is exceeded, generally a request for more hours is granted. It has been promoted throughout the state mostly by email, with two advertisements in *Communique* and *The Writ*. There was confusion about it being described as pro bono, which is to be provided without compensation or the expectation of compensation. Legal Aid Center and Washoe Legal Services believe the Judicare program may divert pro bono attorneys from meritorious cases. NLS shared the program has existed for 40 years. Nine cases have been placed.

The question was raised whether Judicare counted for CLE. After discussion, the verdict was no, as the new CLE for pro bono rule clearly states "uncompensated". NLS will notify those involved and Brad will clarify same with providers and NVCLE.

Statewide Technology and Self Help Forms

Brad shared that he met with Lauren Pena of the Civil Law Self Help Center, Stephanie McDonald of the Family Law Self Help Center and Emily Reed of the Second Judicial District Court to review statewide forms. That discussion concluded that the only truly statewide form was the protection order form. However, the Commission discussion confirmed other forms were also statewide such as guardianship.

A lengthy discussion ensued culminating in a recommendation to create a subcommittee. Goals will be to increase access to justice in Nevada for self-represented litigants by:



1. Developing statewide recommendations for courts to make it easier for self-represented litigants to handle their cases, including customized solutions, drop boxes, emailing, simplified electronic filing, automation, etc., with the goal to encourage and share information and best practices.
 - a. Assess changes to filing post COVID-19 that enhance access to justice
 - b. Assess what's working that can be replicated.
 - c. Identify key agencies and encourage them to provide the public with a better ability to understand the legal processes relevant to their matter and improve upon their ability to represent their own interests.
2. Adding more forms and instructions on how to use to the statewide website.
 - a. Assure education is included, including detailed descriptions of legal processes and instructions on how to interact with the courts. Instructions may include both written and video guides.
 - b. Can begin with eviction, if agreed.
3. Assess and make recommendations related to filing electronically statewide.
 - a. Identify potential grants to support identified initiatives.

The Committee will also be informed by the Conference of Chief Justices/Conference of State Court Administrators guidance related to court technology, as follows.

1. Ensure principles of due process, procedural fairness, transparency, and equal access are satisfied when adopting new technologies.
2. Focus on the user experience.
3. Prioritize court-user driven technology.
4. Embrace flexibility and willingness to adapt.
5. Adopt remote-first or remote-friendly planning, where practicable, to move court processes forward.
6. Taken an open, data-driven, and transparent approach to implementing and maintaining court processes and supporting technologies.

The subcommittee will likely include Judge Tiras, Judge Shirley 11 and 7 JDC (recommended by VARN as handles two courts and more tech friendly as result), Judge Young IT person, Mike Doan IT EJDC or stand-in, Craig Frandon IT SJDC or stand-in, Lauren Pena and/or Stephanie McDonald and/or Emily Reed, Jason Sowards, AOC's Vicki Elefante, Clerk's Office contact, other?

Bobbette Bond inquired about forms in Spanish which should be discussed by the subcommittee.

Nominations

The new Nominating Chair, Connie Akridge, and Brad met. All Commission members with terms expiring July 1, 2020 were reappointed except for Judge Sullivan. Justice Hardesty will review and recommend a replacement.



NLS Video Idea

Nevada Legal Services recommended a high school-produced access to justice video contest, like one in New Mexico, be considered. Most liked the concept. It was determined to proceed as possible in light of COVID-19 limitations and through potential programs such as NLS's Lawyer-in-the-Schools program, Legal Aid Center's school education initiative. Annamarie Johnson felt if a couple of key schools could be identified to help with the program. Latoya Bemby offered to assist.

IOLTA

Brad offered a brief update, sharing that due to COVID-19, on March 17, 2020 the Nevada IOLTA rate implemented an emergency drop on all accounts at all balances to the SCR 217 minimum of .70 percent. Additionally, that beginning June 1, 2020 by Nevada Supreme Court Order, IOLTA rates would be further reduced, temporarily, to .65 percent on all accounts at all balances.

Separately, the National Association of IOLTA Programs (NAIP) wrote two letters to the Office of the Comptroller of the Currency in support of banks receiving Community Reinvestment Act (CRA) credit for IOLTA interest above basic rates paid on similarly situated accounts. The Nevada Bar Foundation, along with other state IOLTA programs, signed the letters. We were notified recently that IOLTA did not make the list of credits outlined for CRA. However, we will continue to seek opportunities to support Nevada financial institutions gain CRA credit for IOLTA.

Potential Eviction Crisis

Bailey Bortolin of the Nevada Coalition of Legal Service Providers shared that they are recommending the eviction moratorium be extended until September 1, 2020 in order to allow for rental assistance systems to be put into place and for more time for some to receive unemployment insurance, including gig workers. Significant dollars are available via CARES Act funding through Clark County and the Nevada Treasurer's Office. With potentially 100,000 evictions pending, further time would also allow time to build a potential mediation process.

Chief Justice Pickering shared that discussions have occurred statewide between courts, Realtors, apartment community managers, landlords, and police and community organizers. Similar conversations have happened in both the north and south. While originally there was a consensus on a recommended emergency order, it fell apart based on not all agreeing to various dates and timelines. Justice Hardesty suggested that perhaps this topic could be a part of a COVID-19 special legislative session. A major concern is the speed of the eviction process and if no avenues for settlement are provided, it could worsen and already daunting problem.

Mediation was discussed as a potential good avenue for pursuit, allowing a bit more time and assistance in the eviction process to help both tenants and landlords be able to pay and get paid. Deonne Contine of Washoe Legal Services has touched base with the Neighborhood Mediation Center, but their resources are limited. Virginia passed a law providing for a 60-day continuance to buy time to sort things out to avoid mass evictions. A concern is how to fund potential mediators and extra judges.



Brad will inquire with the Nevada Judges of Limited Jurisdiction on their concerns, how the courts can help, concerns about what's coming with evictions, how many eviction cases are pending and any plans to help avoid mass evictions.

Bobbette Bond shared that the unemployment crisis has had an outsized impact on the Culinary Union. She shared that not only what's happened is critical, but what is coming is of great concern. Currently, only 30 percent of Union members are back to work. Challenges are workplace safety, unemployment, and healthy workplaces.

Informational Items

Informational items included the following. Details upon request from the Commission:

- Legal Aid Provider Highlights
- Self-Help Center Statistics
- Bishop Family Law Conference
- Quarterly Legal Aid Provider Call Recap
- CLE for Pro Bono Procedure Recap
- Nevada Coalition of Legal Service Providers Efforts
 - Evictions - [http://gov.nv.gov/News/Emergency_Orders/2020/2020-03-29 - COVID-19 Declaration of Emergency Directive 008 \(Attachments\)/](http://gov.nv.gov/News/Emergency_Orders/2020/2020-03-29_-_COVID-19_Declaration_of_Emergency_Directive_008_(Attachments)/)
 - COVID-Related Garnishments - [http://gov.nv.gov/News/Emergency_Orders/2020/2020-04-30 - COVID-19 Declaration of Emergency Directive 017 \(Attachments\)/](http://gov.nv.gov/News/Emergency_Orders/2020/2020-04-30_-_COVID-19_Declaration_of_Emergency_Directive_017_(Attachments)/)
- IOLTA Rate Review Recap
- Nevada Justice Index Submission
- Nevada Letter of Support for Potential Additional Legal Services Corporation Funding
- March and May Nevada Bankers Association eNews COVID-related *The IOLTA Report*
- Nevada Legal Services Statement on Racial Justice
- Public Awareness

Action Items

- Brad will send reminders of the new CLE for pro bono rule should be shared with/through NVCLE, the Clark County Bar Association, Washoe County Bar Association Elko County Bar Association, specialty associations, and sections, as well as in the State Bar of Nevada's eNews and *Nevada Lawyer*.
- Brad will look into getting gauging knowledge of the CLE for Pro Bono program.
- Judge Kishner will communicate the availability of CLE via pro bono through her auspices.
- Brad will develop, and have approved, a charge and committee for the Statewide Technology and Self Help Forms initiative.
- Justice Hardesty will consider a replacement for Commission member Judge Frank Sullivan.
- Brad will review the the potential ATJ video pending COVID-19 realities.
- Brad to gain feedback from NJLJ, and review nationally, eviction diversion program efforts.



ACCESS TO JUSTICE COMMISSION

Statewide Technology and Forms Committee Call Recap Wednesday, September 9, 2020 – 2:00 p.m.

Present

Judge Shirley
Judge Tiras
Barbara Buckley
James Conway
Ricardo Cordova
Vicki Elefante
Mike McCallister
Lauren Pena
Emily Reed
Jason Sowards

Staff Present

Brad Lewis

This was the first call of the Nevada Supreme Court Access to Justice Commission's Statewide Technology and Forms Committee. While improving the ability for the public to easily interact with the court system should always be a continuing goal, COVID-19 has certainly impressed that fact in Nevada and throughout the U.S. Access to Justice Commission Co-Chairs Chief Justice Kristina Pickering and Justice James Hardesty formed this Committee to improve and create statewide use of common forms and develop enhanced methods for alternative filing, include electronic filing, throughout Nevada. A Committee charge and guidance from the Conference of Chief Justices/Conference of State Court Administrators are available from the Commission.

We began the call discussing above and Judge Tiras immediately recommended that we consider developing improved videos educating the public on the correct forms and how to complete. It was believed that, universally, this would be helpful, especially with the most commonly used forms.

Barbara Buckley shared she is supportive of the initiative as it's an opportunity to assess where we are, seek out areas for improvement, expand processes now successfully in place elsewhere. She shared that the pandemic has made wet signatures virtually obsolete and increased the necessity of being able to file electronically. She felt one key advantage of this Committee is to avoid duplicating efforts and potentially cooperate on funding assistance.

Emily Reed shared that, since the onset of COVID-19, Washoe courts implemented several measures to improve court access including chat, drop boxes and even emailing. She identified one issue being internet access for some court users which may call for publicizing Wi-Fi hot spots, etc. One advantage



of chat systems is that transcripts can be made available. Public awareness, in general, is an area for improvement.

A discussion ensued about what forms might be best to begin with for statewide acceptance. It was agreed eviction and debt collection might be good ones with which to begin. Family and small claims were also mentioned. In the general categories, how to do a motion, opposition and reply could all be part of a how-to packet. Both Judge Tiras and Judge Shirley shared some criminal matters, including prisoner related resources, would help justice courts. Brad shared that he thought the Co-Chairs idea was to limit our investigation to civil matters but Ms. Buckley suggested that perhaps criminal matters could come in a phase two.

A brief discussion shared some current technologies being used in various courts. Hot Docs was outlined as a potential resource. More information will need to be collected. One idea to promote cost effectiveness would be to focus on limited forms and related public-use technology, sort of a free access to justice-focused support of forms and court technology.

It was discussed that measures for success would help to streamline what is a potentially massive effort. Ideas included measuring filings before and after COVID-19 to see the effects of limiting court access. Another measure could be the number of rejected filings due to non-conforming forms for current and future rates. (Compare 2019 to 2020.)

Next steps:

- Survey courts (justice and district) for current filing methods, technologies and priorities for serving the public
- Survey for most commonly used forms and needed resources to prioritize
- Leverage findings for any best practices uncovered
- Get started, this is a potentially major project but any improvements would make a real difference for people who represent themselves
- Submit a grant in support of the effort. Our letter of intent to apply for an American Bar Endowment grant for \$25,000 was accepted but they did receive 160 letters of intent due to COVID-19. The state has some funding also for support of this statewide effort.
- Consider ways to increase public awareness of how to access Nevada courts
- Work further on initiative measurements

Notes: Tiberius Technologies, Journal Technologies, Tyler Guide & File, Odyssey, Hot Docs

American Bar Endowment
Opportunity Grant Application

I. Summary of Application

1. Applicant Organization: Nevada Bar Foundation (See note: Access to Justice Commission)
2. Project Name: Statewide Technology & Forms Initiative
3. Short Project Description. (Do not exceed 250 characters)

This project is designed to make it easier for self-represented litigants statewide in Nevada to access courts by standardizing common forms and developing more user-friendly filing options, including enhanced electronic filing options.

4. Amount Requested? \$25,000
5. Total Project Expenses? \$25,000
6. Have you received an ABE Opportunity Grant in the past? Yes No

If yes, in what years and for what projects did you receive funding?

[Click here to enter Years and Projects funded.](#)

7. Has your organization applied for ABE funds in the past? Yes No
8. If yes, when? 2016 2017 2018 2019 2020

II. Project Information

9. Geographic Scope of Project (e.g., state of Illinois or Midwest region, Metropolitan Chicago Area or National)? State of Nevada.

10. In what grant focus area(s) does your organization/project principally fit? (choose all that apply)

- Enhanced access to justice, especially for vulnerable and underserved populations, through innovations to legal services delivery or capacity-building projects that improve service delivery.
- Promotion of the rule of law or improvement of the justice system, including ensuring equal justice and elimination of bias, through best practices development and analysis; needs assessment; and policy development and advocacy.
- Growth of the public's understanding of the law and the legal system to increase civic engagement through the development and implementation of innovative communication tools, resources, and delivery methods.
- Other. Please specify.

11. Briefly describe the need/problem/issue your project addresses.

With the support of the Board of Trustees of the Nevada Bar Foundation, we are planning to undertake a Statewide Technology & Forms Initiative. This initiative is in cooperation the Nevada Supreme Court Access to Justice Commission. Nevada Supreme Court Chief Justice Kristina Pickering and Justice James Hardesty, Commission Co-Chairs, are supportive of this initiative.

Nevada does not have a unified court system. As a result, there are not universal forms commonly used by self-represented litigants available statewide. Also, many courts - particularly rural courts - have filing methods that require "wet" signatures and a physical trip to the courthouse. While this has long been seen as an area for improvement, COVID-19 has pressed on the urgency of addressing this access to justice issue in Nevada.

12. Briefly describe your project/program's measurable objectives.

Measures will include: Number of forms made available for universal statewide use, improved filing methods including electronic options, rejected filings before and after project completion.

13. Briefly describe the activities you will do to achieve the objectives.

Appoint a subcommittee of the Nevada Supreme Court Access to Justice Commission on Statewide Technology & Forms. Develop a committee charge. Leverage guidance from the Conference of Chief Justices, Conference of State Court Administrators and American Bar Association Resource Center for Access to Justice Initiatives. Survey the committee, Commission and Nevada courts on most commonly used forms for development. Hire a consultant to develop forms for adoption with input from court personnel and other interested parties. Provide funding to support technology which improves easy electronic filing options.

14. Briefly describe how you plan to measure/evaluate the success of your project.

Key measures will include gathering statistics on number of filings pre and post COVID-19, measuring rejected filings before and after the initiative, and court user experience surveys pre and post program implementation.

15. If you propose to start a program that will operate longer than one year or become part of the annual programming of your organization, describe your specific plans for ensuring funding beyond the ABE Opportunity Grant? Not Applicable

We intend to use this ABE Opportunity Grant to pilot our project with the goal to leverage further sizable court technology grant funding from the U.S. Department of Justice.

16. Project Start Date? 5/3/2021 Project End Date? 4/29/2022

17. Indicate how you will acknowledge the ABE's grant:

- Listed in the Annual Report. Print Online
- A press release or news article about the gift or the project.
- On the applicant's website.
- Applicant's publications, program books, signage. *Nevada Lawyer Magazine*, State Bar of Nevada eNews, Nevada Supreme Court Access to Justice Commission websites, Nevada legal aid provider communications.
- Social media announcements (Facebook, Twitter, Instagram, LinkedIn etc.).
- In publications, videos, etc. that you produce, in whole or in part, from ABE grant funds. Nevada Supreme Court Annual Report. Nevada Bar Foundation Annual Report.
- Other. [Click here to describe.](#)

III. Project Service Data

18. What age population(s) does your Organization/Project principally serve? (click all that apply)

- Children ages birth to 10 years old
- Children ages 10 to 13

- Teenagers ages 13 to 16
- Older Teens ages 16-18
- Young adults ages 18-25
- Adults 25+
- Elderly

19. What unique population does your Organization/Project principally serve? (click all that apply)

- Racially or ethnically diverse. Click here to specify further if you wish.
- Women or girls.
- Men or boys.
- Members of the LGBTQ+ community.
- Poor or low-income people.
- People living in rural areas.
- People with disabilities.
- Survivors of domestic or sexual violence.
- Children or parents in the child welfare system.
- Immigrants or asylum seekers.
- People for whom English is not their first language.
- Veterans or military personnel.
- Justice system connected people.
- Disaster survivors
- Other. Continuing service to the October 1, 2017 survivors of the Las Vegas mass shooting through the Las Vegas Resiliency Center. Serving all persons, including non-Nevadans, affected.

20. If this is a direct service project, how many people do you estimate serving in the grant period?

Not Applicable

People served upon project completion estimated to be 145,000 individuals with 700,000 accessing self-help websites.

21. If your project involves training, how many people do you expect to train in the grant period?

Not Applicable

Court staff, Nevada's legal aid providers, and all Nevada self-help centers will receive training on newly developed forms for statewide use and relevant technological enhancements.

Approximately 150 will be trained.

22. If your project disseminates educational or informational materials, how many people do you expect to receive these materials during the grant period?

Not Applicable

Form instructions, including written instructions and self-help videos will be developed and are estimated to reach 350,000 Nevadans.

IV. Applicant Organizational Information

23. Organizational Mission/Vision Statement. (please use no more than 1250 characters)

Please note: Our original Letter of Intent was submitted by the Nevada Supreme Court Access to Justice Commission which is not a 501(c)(3) charitable organization. It has been agreed that this grant will be submitted by the Nevada Bar Foundation who will work in concert with the Nevada Supreme Court Access to Justice Commission on the project.

24. Briefly describe the organization's core current programming that advances this mission.

The Nevada Bar Foundation (NBF) was incorporated in 1997 as the 501(c)(3) charitable arm of the State Bar of Nevada. The NBF was organized to support charitable giving related to access to justice and legal education programs. The NBF manages the Interest on Lawyer Trust Accounts (IOLTA) program, including the making of annual grants to organizations that promote access to justice through direct legal services to the poor, to victims of domestic violence and to children protected by or in need of protection of the juvenile court. The NBF conducts fundraising in support of access to justice and Law Related Education (LRE) programs such as the Mock Trial program.

25. Is the applicant affiliated by control or contractual arrangement (e.g., intellectual property license agreement or affiliation agreement) with any other organizations?

YES NO State Bar of Nevada.

26. How did you learn about the Opportunity Grant Program?

American Bar Association Resource Center for Access to Justice Initiatives.

27. Principal Contact for this Grant Application

Brad Lewis

Director

bradl@nvbar.org

312-219-0058

3100 W Charleston Blvd

Ste. 100

Las Vegas

NV 89117

V. Financial Information

28. Is this organization classified by the Internal Revenue Service as under Code section 501(c)(3) and as a public charity or supporting organization under Code section 509(a)? YES NO

If the applicant is classified by Code Section 509(a)(3) as a supporting organization, click here to provide information on the sub-classification category and the name of the supported organization(s).

If no, do you have a written fiscal agency agreement with another organization with that classification? YES NO [Click here to enter that organization's name?](#)

29. Applicant (or fiscal agent) EIN. 88-0399023

30. Total Organizational Expenses for the current fiscal year. \$4,118,827

31. Website address (IRS, Guidestar or other charity site is acceptable) where the organization's most recent 990 filing can be found. <https://www.guidestar.org/profile/88-0399023>

VI. Other Requested Documents (please check those attached)

- Cover letter.
- Organizational Budget (can be submitted in any format you choose).
- [Project/Program Budget Template](#) (download this form from the ABE website and use it to submit your project budget).
- IRS Determination Letter (If the IRS Determination Letter is from your fiscal agent, please attach the written fiscal agency agreement.)
- List of your organization's Board of Directors names and affiliations.
- Short staff biographies of the senior most administrative staff who will oversee the project and the person who will provide day to day management of the project.
- Other documents (OPTIONAL) you would like to include in your application (e.g., letters of support, samples of how your donors are recognized by your organization, etc.).



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DATE

JUDGE

ADDRESS1

ADDRESS2

Re: Unbundled Pro Bono Services

Dear Judge NAME:

I am writing today on behalf of the Nevada Legal Services Pro Bono Program. It has been a struggle to place pro bono cases with volunteer attorneys, especially in rural jurisdictions, for extended representation in cases involving litigation. This is especially true with contested family law matters. One of our dedicated pro bono volunteers, Bob Cerceo, recently broached the availability of unbundled representation of pro bono clients with me and indicated how much easier it would be for pro bono volunteer attorneys to take cases in contested litigation matters if the attorney knew their services were for a discrete time period – a settlement conference or one motion hearing.

Nevada Legal Services relies heavily on our pro bono volunteers to supplement the services our staff attorneys can provide to our low income clients. Nevada Legal Services has limited resources and is unable to provide a staff attorney for every client who comes to us for help. Thus, we recruit generous pro bono volunteers from the communities we serve to agree to assist our low income clients for free or a reduced fee reimbursed by Nevada Legal Services. Still we find it extremely difficult to place contested family law matters or cases involving extensive litigation with attorneys due to the uncertain time commitment that would be required of them should they agree to representation and enter their appearance on behalf of a pro bono client.

Therefore, I would like to request that the Court allow our pro bono volunteers to accept cases in an unbundled capacity. This would entail the court allowing them to enter into limited retainers with their pro bono clients and allow them to seek withdrawal when the scope of services agreed upon by the pro bono attorney are complete. I would be more than happy to assist the Court draft a new local rule if this would be acceptable as well. The Eighth Judicial District adopted a limited representation rule for pro bono services in 2017 and might provide a model for any such rule the court might adopt.

I would love to talk with you more about an unbundled services rule and how this would help our pro bono services. Please let me know if I can be of any assistance to the Court moving forward with this as well. You may reach me at my direct line (775) 334-3055.

Sincerely,

Rhea Gertken, Esq.
Directing Attorney, Northern Offices

Enclosure: EDCR 5.209

Rule 5.209. Withdrawal of attorney in limited services (“unbundled services”) contract.

(a) An attorney who contracts with a client to limit the scope of representation shall:

(1) State that limitation in the first paragraph of the first paper or pleading filed on behalf of that client; and

(2) Notify the court of that limitation at the beginning of each hearing in which the attorney appears for that client.

(b) Unless otherwise ordered by the court, to withdraw from representation of a client in limited services, an attorney shall:

(1) File a Notice of Withdrawal of Attorney specifying the limited services that were to be completed, reciting that those services were completed, and identifying either the name of successor counsel or the address and telephone number of the client in proper person. The attorney must serve a copy of the notice upon the client and all other parties to the action.

(2) Complete all services required by the court before filing a Notice of Withdrawal.

(3) Specify, in the withdrawal, at what point in time or proceeding the opposing party may directly contact the party represented by the withdrawing attorney.

(c) Except by specific order of court, no counsel shall be permitted to withdraw within 21 days prior to a scheduled trial or evidentiary hearing.

(d) Any notice of withdrawal that is filed without compliance with this rule shall be ineffective for any purpose.

[Added; effective January 27, 2017.]



Access to Justice Highlights 3rd Quarter 2020

HIGHLIGHTS

Overall Highlights re Activities, Community Initiatives & Outreach

New Initiatives:

Eviction Mediation Program

We are working closely with the Access to Justice Commission and the working groups to develop an eviction mediation program, a “guide and file” tenant interview, and resources for potentially 100,000+ tenants who will be facing eviction due to the pandemic.

Chat Feature for Family Law and Civil Law Self Help Centers:

Last quarter, the Civil Law Self Help Center added this convenient online feature to their website. This quarter, we decided to add the same feature to the Family Law Self Help Center website to assist even more people. We are utilizing the same vendor - Comm100. This feature will help cut down on the back and forth with emails and will more quickly get needed information into the hands of the users while allowing staff at the Center to assist more people.

New Community Legal Education Class – Special Education Know Your Rights

Professor Rebecca Nathanson worked closely with Kelly Venci Gonzalez to put together this class effective 8/31/20. Kelly supervised this class which is taught by Boyd law students. The class covers how to get a student qualified for special education services, problems with an IEB/504 plan, problems connecting students to the right services and attending school during the pandemic, poor grades and discipline issues.

Advisory Member of Nevada Policy Council on Human Trafficking

We were invited to take part in this fairly new council to provide our input on issues that need to be addressed. The goal of this group is to convene community stakeholders to develop and identify policy needs to improve the lives of survivors and those at risk of human trafficking.

Ongoing Initiatives:

We continue to update the Legal & Financial Toolkit with important information about the state of the eviction moratorium, housing assistance programs, debt collection and community resources.

We continue to participate in AEAP monthly collaboration meetings with the State of Nevada and other AEAP sub-grantees.

Planning stepped up for the 3rd anniversary of October 1. We worked closely with the Vegas Strong Economic and Development Workgroup on virtual events and began working with Vegas PBS and producer Kathy Topp for a special 30 minute episode called #Vegas Strong: Connecting During COVID-19. <https://www.pbs.org/video/vegasstrong-connecting-during-covid-19-mcvpt6/>

We continue to provide written monthly updates (no longer phone calls) with the Home Again Program to share resources and discuss legal issues related to consumer protection, including guardianship and housing matters.

We continue participating in quarterly meetings with Boyd Immigration Clinic and Catholic Charities to share information and resources related to current immigration trends and needs we are seeing in the community.

We ramped up collaboration meetings with the app developer on the CAP App RISE.

We finalized a new CAP educational book for young children in foster care called My Life, My Rights. We are currently translating this book and once that is complete, we will post it on the website, and share it with local community stakeholders and our national child welfare supporters.

We produced several videos during this quarter that are housed on our YouTube channel:

- Marketing for the Small Business Legal Advice Project. <https://youtu.be/g6-z3079B0o>
- Thank You video for the 2020 Associates Challenge. <https://youtu.be/rQbmkJwNbNA>
- Interview with volunteer attorney Dirk Gasper of Holland & Hart about issues facing small businesses. <https://youtu.be/YMDvGRZ2a30>
- CAP/Foster Youth Right to Counsel. <https://youtu.be/57tzdNwsbxg>

Virtual Community Outreach Events:

7/9/20; 7/29/20; 8/13/20 – Haley participated in Facebook Live panels on unemployment with Make the Road Nevada

7/23/30 – Melissa in Spanish webinar on unemployment hosted by Make the Road Nevada

8/1/20 – Participated in the Cox Back to School Virtual Fair

8/18/20 – Enrique participated in a panel covering evictions & unemployment for a group of community stakeholders interested in issues impacting the Latinx community. The meeting is called Está En Tus Manos.

8/20/20 – Chris participated in Facebook Live panels on evictions with Make the Road Nevada

8/27/20 – Sandra participated on a panel about diversity and inclusion in the workplace hosted by Alliance for Nevada Nonprofits

8/29/20 – Jim on a panel with County Commissioner Jones and Assemblyman Yeager to discuss evictions and housing assistance

9/1/20 – Melissa participated in a Town Hall on various subjects with La Pulga de Las Vegas, Senator Cortez Masto, County Commissioner Gibson and City Councilwoman Diaz

9/10/20 – Lauren on a panel about Senate Bill 1 (created the eviction mediation program) hosted by the Southern Nevada Homelessness Continuum of Care Board

9/10/20 – Melissa participating in a virtual Q&A session about unemployment hosted by Arriba Las Vegas Workers Center

9/22/20 – Anthony participated in a virtual presentation about our legal services for parents at Desert Pines H.S.

Legal Aid Center in the news:

Interviews

9/22/20 – Chris on ESPN Deportes for Spanish language program with Nevada Ombudsman for Consumer Minority Affairs Miriam Lira Hickerson

Articles

<https://www.ktnv.com/13connects/13-helps/clark-county-urging-small-businesses-to-apply-for-grants-during-ongoing-pandemic>

<https://www.nevadacurrent.com/2020/08/27/eviction-tsunami-hits-in-three-two-one/>

<https://www.8newsnow.com/news/local-news/legal-aid-center-not-a-lot-of-options-for-nevada-renters-homeowners-as-eviction-moratorium-ends-tuesday/>

<https://lasvegassun.com/news/2020/aug/28/nevada-braces-pandemic-prompted-eviction-moratorium/>

LVRJ article dated 9/11/20 – attached

<https://www.nevadacurrent.com/2020/09/15/tenants-advocates-say-landlords-trying-to-skirt-cdc-eviction-moratorium/>

<https://www.nevadacurrent.com/2020/09/23/apartment-association-calls-eviction-mediation-stall-tactic-for-tenants/>

<https://www.nnbw.com/news/as-court-considers-parameters-of-nevadas-eviction-mediation-program-debate-continues-over-how-widely-to-open-door/>

Consumer Case Highlights

Mr. Brown purchased a Mini Cooper in April 2020 from a used car dealership and put down all of his savings as a down payment. Almost immediately, the car began having major problems, including a loud knocking noise, a broken radio, and the engine light was perpetually on.

The day after purchase, Mr. Brown took the car to the Mini Cooper dealership in Las Vegas for an inspection. The inspection revealed significant multiple problems such that the mechanic warned Mr. Brown that the car was dangerous to drive. Mr. Brown contacted the used car dealer about the condition of the car and they said they would repair it. However, after the car had been in the dealer's affiliated repair shop multiple times without improvement, Mr. Brown sought assistance from Legal Aid Center.

Mr. Brown's Legal Aid Center attorney drafted a letter to the used car dealership detailing the mechanical problems, stating that Mr. Brown was returning the car, and demanding the return of his down payment plus the first payment he had made in May. Mr. Brown was completely unaware of all the problems with the Mini Cooper until he had it inspected by the Mini dealership's mechanic, so under Nevada law, he can revoke acceptance of the vehicle. Mr. Brown returned the car to the dealership and provided a copy of the letter, which his Legal Aid Center attorney also mailed to the dealership and its bond company.

The used car dealer failed to respond to the letter, but the bond company replied to ask for further documentation. Shortly after the attorney provided the requested documentation, the used car dealer retained an attorney. Their attorney contacted Mr. Brown's Legal Aid Center attorney, asking if they could resolve the matter. The used car dealer soon agreed to refund Mr. Brown's down payment and first payment. Mr. Brown was thrilled to be rid of the car and happy to receive his money back.

Guardianship Advocacy Project Case Highlights

When David was in his 40s, he suffered a traumatic brain injury in an accident. After his recovery, David lived with his parents. He was able to manage all of his daily needs and tasks but enjoyed the company and support of his parents. With advice from his father, David managed his finances and established a trust with the proceeds of his settlement from the accident. After his father passed away, David continued to live with his mother and manage his own affairs.

As David's mother got older, she began to require more assistance. David's aunt and uncle encouraged him and his mother to move to an assisted living community. They also sought guardianship over David. Although David did not believe he was incapacitated, he trusted his aunt and uncle who claimed to want provide some assistance and support, so he consented to the guardianship.

However, once the guardianship was in place, David was denied any access to his assets. He was not provided any account statements or his other mail. When David asked to purchase things, such as a cell phone or laptop, the guardians refused, claiming that he could not afford these items.

Legal Aid Center of Southern Nevada was appointed to represent David when the guardians sought to make changes to David's trust. After David expressed a desire to terminate the guardianship, tension grew with the guardians. David's aunt erupted in anger during a medical appointment, leaving David in the doctor's office with no way back to the assisted living facility.

Legal Aid Center sought medical evaluation of David to determine if guardianship was necessary or appropriate. Counsel also obtained bank records for David's trust, which his aunt had assumed trusteeship over. The records showed regular payments to a consulting company, which David was unfamiliar with. Further research revealed that the consulting company was owned by David's aunt. Over the course of the guardianship, David's aunt had paid herself over \$70,000.

Legal Aid Center filed a petition with the court demanding an explanation of these payments. David's guardians claimed the payments were for reimbursements and their expenses and that they had documentation for all the payments. However, although the court gave the guardians several months to provide proof, the guardians refused to account for the funds in any way. Legal Aid Center then sought removal of the guardians and termination of the guardianship, which was granted.

David now has control of his life back for the first time in years. He has retaken control of his trust and is planning to finally buy a cell phone and a laptop. David is still living in assisted living while he looks for an apartment of his own. However, David can now enjoy going to lunch with friends, going for walks, and calling bingo numbers, rather than fighting his guardians for pocket money.

Legal Aid Center is also working with David on a recovery action, seeking return of all the money misappropriated by his guardians, as well as additional damages.

Family Justice Project Case Highlights

Unemployed Mother of twelve children was accepted for divorce representation against husband of six. The client sought Legal Aid representation for a motion to modify custody, visitation and/or child support after CPS and law enforcement were contacted by the minor child's school regarding allegations of verbal and physical abuse by the adverse party. The client was granted a temporary protection order on behalf of the minor child; however, did not request an extension upon application. A motion to extend the TPO was filed before it expired prior to the motion hearing date. The minor child with a history of mental health and behavioral issues was re-enrolled in counseling/therapy. Supervised visitation services were confirmed as an option at Family First Services during the pandemic. After the CPS case was closed, a global settlement was reached redefining joint legal and physical custody, modifying the weekly visitation schedule, specifying a holiday schedule, implementing terms of exchanges and transportation of the minor child, terms for each parent to have reasonable contact with the child, terms for child

support and health insurance coverage, an order for the client to receive the dependent tax deduction for the minor child every year starting with 2020, an order and directives to change the minor child's last name to the client's last name, an order for the child to remain in counseling/therapy as recommended, and an order for the parties to follow the Governor's COVID-19 Declaration of Emergency Directives and well as the CDC COVID-19 Guidelines.

Immigration Case Highlights

A case referred to us by Seeds of Hope. She was a victim of sex trafficking when she was recruited in Thailand to come to the United States for a better life, but when she arrived here she was informed that she was now \$60,000 in debt and had to pay it off through prostitution. She was transported to Minnesota, and from there through several other states as she was forced to perform sexual services up to ten times a day. She was eventually able to escape her traffickers when she was arrested by federal agents investigating the trafficking ring. She provided key witness testimony in a federal prosecution in Minnesota and assisted in obtaining convictions against many of the traffickers.

Despite her help in the federal prosecution, USCIS requested additional evidence on her case. After our response, USCIS denied the T Visa, stating in their opinion she would not suffer hardship if returned to Thailand (which was absurd). We filed an appeal of that denial including additional evidence from the HSI office in Minnesota that signed her T visa certification. On consideration of the filed documents in support of the appeal, the Vermont Service Center reopened the case themselves and granted the T visa before the appeal was transferred to the Administrative Appeals Office. She is now in valid T visa status and overjoyed at the prospect of not having to return to Thailand where she was originally trafficked.

Children's Attorneys Project Case Highlights

One recent highlight is for my 15 year old client has returned who ran away after receiving several mental health petitions and an order for placement at an RTC this past spring. After the death of her grandmother, with whom she was very close, and learning her father's prison sentence was longer than he was representing to her, my client was having a horrible time dealing with everything happening to her. With her mother having abandoned her and her father in prison, my client just wanted to be back with family. However, there were sex abuse allegations she made against her cousin who also lives in the relatives home and that was not an option. Foster placements kept disrupting and the pleas for help were escalating with threatening suicide and running away for longer and longer spans of time. After my client ran away and was gone for several months, she began to make contact again. With mental health court and Judge Sullivan did a fantastic job of trying to make my client feel comfortable. DA Gwynneth Smith helped to coordinate with DJJS to address an outstanding bench warrant for petty theft. My client finally came back and now resides with fictive kin who came forward requesting placement. She

appeared on a charge for petty larceny and received 3 months formal probation, but addressing that has been a weight lifted off her shoulders.

After several failed placements in the past, this is now where she wants to be and to stay. She has reengaged in school and brought her failing GPA to 3.4. The RTC petition was dismissed last week. My client participates in therapy and med services. The current placement, her godparents, are in the process of licensing. The department is now seeking a guardianship which may end up with kingap if the licensing goes through and we wait the 6 months. It's a total turn around for my client. She's in a placement she likes, she's doing well in school, her mental health is a lot more stable, and in a better place all around.

Education Advocacy Program Case Highlights

Michael was placed at an inpatient facility in August 2019. He is in the 6th grade and has an IEP for Orthopedic Impairment. Michael is diagnosed with Spastic Quadriplegia type of Cerebral Palsy. Michael is in a wheelchair and cannot sit on his own. As a result, Michael has issues with self-care. Michael's disability impacts his ability to use his fine and gross motor skills. Michael cannot write but this is due to his physical disability. Michael's speech is also impacted by his physical disability. Michael's non-verbal skills are limited but appropriate.

Our department filed a due process complaint against the Clark County School District (CCSD) requesting that CCSD provide an aide to address Michael's needs; CCSD provide an assistive technology evaluation and equipment so that Michael can communicate; CCSD identify an appropriate school placement as the IEP is written; and provide compensatory education.

In July 2020, Michael received "The Tobii" that he is using for i-gaze (funded by CCSD). Michael is thriving with his new assistive technology device. He is now able to communicate his daily wants and needs. In August 2020, Michael reconnected with his biological father who lives in North Carolina. His father was added to his birth certificate and placement in North Carolina is set for next week after his hearing. Michael's Child and Family Team has been working vigorously to put everything in place for his discharge from the facility and transition home to father. We were also able to get CCSD is providing a loaner device for the transition to North Carolina.

Vegas Strong Resiliency Center Case Highlights

Mr. Wilson received a minor traffic citation. He wanted to just pay the nominal fine and move past it so that it didn't cause further issues with his job as a truck driver. However, Mr. Wilson has a commercial driver's license and is required by law to attend an in-person hearing. Mr. Wilson is over 65 and has respiratory issues, and had been extremely cautious during the pandemic, avoiding any unnecessary trips outside.

The thought of going to a public building and waiting in a confined courtroom for his case to be called, seemed risky considering his underlying health conditions. He was very uneasy about the situation and has experienced heightened anxiety ever since 1 October. Ronald contacted the Resiliency Center based on their previous advocacy on his behalf. The Center contacted the court on Mr. Wilson's behalf to request a "telephonic" appearance so that he could avoid going in-person, but the court informed him that all court appearances had to be in-person. If Mr. Wilson had an attorney, the attorney could make the appearance on his behalf. So the Resiliency Center's staff attorney retained Mr. Wilson for the limited purpose of representing him for the traffic ticket, and had the issue resolved without any criminal penalties or "points" on his DMV record. Mr. Wilson never had to go in-person and risk his health during the pandemic, but was still able to protect his commercial driver's license so he can continue to make a living.

*names have been changed to protect confidentiality

PRO BONO PROJECT

Third Quarter 2020 Pro Bono Project Highlights:

I. Case Placements:

During Q3 of 2020 we placed 156 cases with 136 unique attorney volunteers:

- July - 50
- August - 53
- September - 53

II. Pro Bono CLE Seminars:

July 17- CAP Supplemental

July 24- CAP Intro

July 30 – Family: Name Change

August 19 – Landlord Tenant: Expiration of Residential Eviction Moratorium

August 21 – CAP Supplemental

August 28 – CAP Intro

August 27 – POWER Act: DV in a COVID World

September 18 – CAP Supplemental

September 26 – CAP Intro

III. Volunteer of the Month Recipients:

July: Amar Bhatti

August: James Davis

September: Susan Maheu

IV. Pro Bono Firm and Bar Section Meetings:

- July 31 – Hutchison & Steffen Firm Meeting

- August 10 – Richard Harris Law Firm Meeting
- September 10 – Pro Bono Wellness for Retired Lawyers Meeting
- September 17 – Kaempfer Crowell Firm Meeting

STATS

Consumer Rights Project - Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	522	988	5428*	
Number of cases closed in quarter	633	815	5319*	
Total Active cases through end of quarter	400	484	577	
Unemployment Culinary Assistance Program		2046	2152	
Social Security Project Cases - Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	41	35	42	
Number of cases closed in quarter	33	31	54	
Total Active cases through end of quarter	153	158	145	
Social Security Hotline Calls	329	232	142	
Guardianship Advocacy Project – Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	220	154	173	
Number of cases closed in quarter	212	108	154	
Total Active cases through end of quarter	1899	1947	1958	
Minor Guardianship Advocacy Project – Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	32	64	134	
Number of cases closed in quarter	0	8	38	
Total Active cases through end of quarter	34	95	191	
Office Intake Calls*	2829	10467	7531	

Family Justice Project Cases - Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	482	444	2335*	
Number of cases closed in quarter	581	434	2294*	
Total Active cases through end of quarter	629	316	358	
Immigration - Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr

Number of cases opened in quarter	105	102	166	
Number of cases closed in quarter	127	49	185	
Total Active cases through end of quarter	804	795	779	
Immigration Hotline Calls	263	292	430	

*“Hotline” calls where actual connections/information/advice are being given are now being added into our case management system to better track our statistics and information given to clients.

Children’s Attorneys Project Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	296	188	219	
Number of cases closed in quarter	236	239	316	
Total Active cases through end of quarter	1705	1675	2391	
Education Advocacy Program Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	26	25	19	
Number of cases closed in quarter	49	20	29	
Total Active cases through end of quarter	121	186	115	
Volunteer Education Advocate Program Cases Quarterly Stats				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of cases opened in quarter	41	13	16	
Number of cases closed in quarter	7	60	21	
Total Active cases through end of quarter	233	125	181	

Civil Law Self-Help Center Quarterly Statistics				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of clients served	9524	5669	9496	

Family Law Self-Help Center and TPO Quarterly Statistics				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of clients served	16678	20549	19370	

Vegas Strong Resiliency Center				
	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
Number of clients served	696	1427	1515	

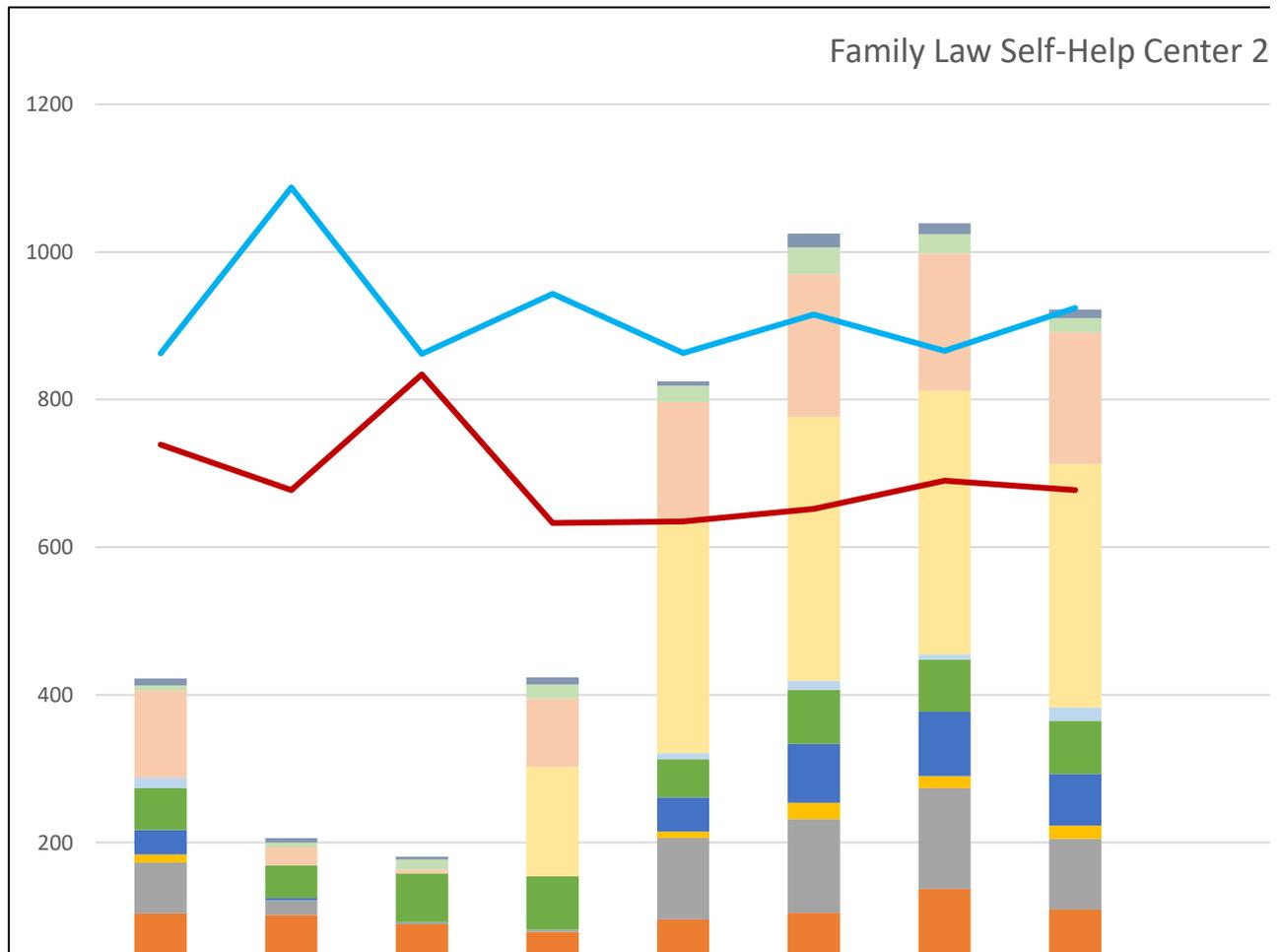
Community Legal Education Program Attendance Statistics					
CLASS	JAN. - MAR.	APR. - JUNE	JULY - SEPT.	OCT. - DEC.	TOTAL FOR YEAR
Divorce	172	73	62		
Paternity/Custody	97	15	29		
Guardianship	57	28	37		
Spanish Family Law	30	1	0		
Bankruptcy	100	14	31		
Spanish Bankruptcy	9	0	0		
Small Claims	115	18	43		
Collection Proof	17	0	4		
Family Law Litigation & Trial Prep	50	0	0		
Immigration English	57	5	11		
Immigration Spanish	61	0	4		
TOTALS	765	154	221		

Pro Bono Project Case Statistics by Quarter					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct-Dec)	TOTAL
Number of cases placed	161	140	156		
Number of unique attorneys who accepted a new case	149	114	136		
Number of cases closed	65	116	83		

Ask-A-Lawyer Pro Bono Project Quarterly Statistics (All Programs Combined)					
	1Qtr (Jan - Mar)	2Qtr (Apr - Jun)	3Qtr (Jul - Sep)	4Qtr (Oct - Dec)	TOTAL
Total Clients Served	712	564	1109		
Total Events Held	49	30	40		
Total Unique Attorney Volunteers	120	99	117		
Total Volunteer Hours	342	270	428.5		

Interview Name	January	February	March	April
Clark County Adult Guardianship Application	-	-	-	-
Clark County Adult Name Change Request	104	102	89	79
Clark County Complaint for Divorce	69	20	3	3
Clark County Custody Answer & Counterclaim	11	0	0	0
Clark County Custody Complaint	33	3	0	0
Clark County District Court Fee Waiver	57	44	66	72
Clark County Divorce Answer & Counterclaim	14	0	0	0
Clark County Domestic Violence Temporary Protective Order	-	-	-	149
Clark County Joint Petition for Divorce	118	25	5	92
Clark County Joint Petition for Divorce (No Kids)	0	0	0	0
Clark County Motion to Modify Child Support	7	6	14	19
Clark County Motion for Temporary Orders	9	6	4	10
	422	206	181	424

Growth in completions over prior month	3.94%	-51.18%	-12.14%	134.25%
Interview Starts	1,142	608	434	1,340
Interview Completion Rate	36.95%	33.88%	41.71%	31.64%
Survey Completions	182	112	78	200
Survey Completion Rate	43.13%	54.37%	43.09%	47.17%



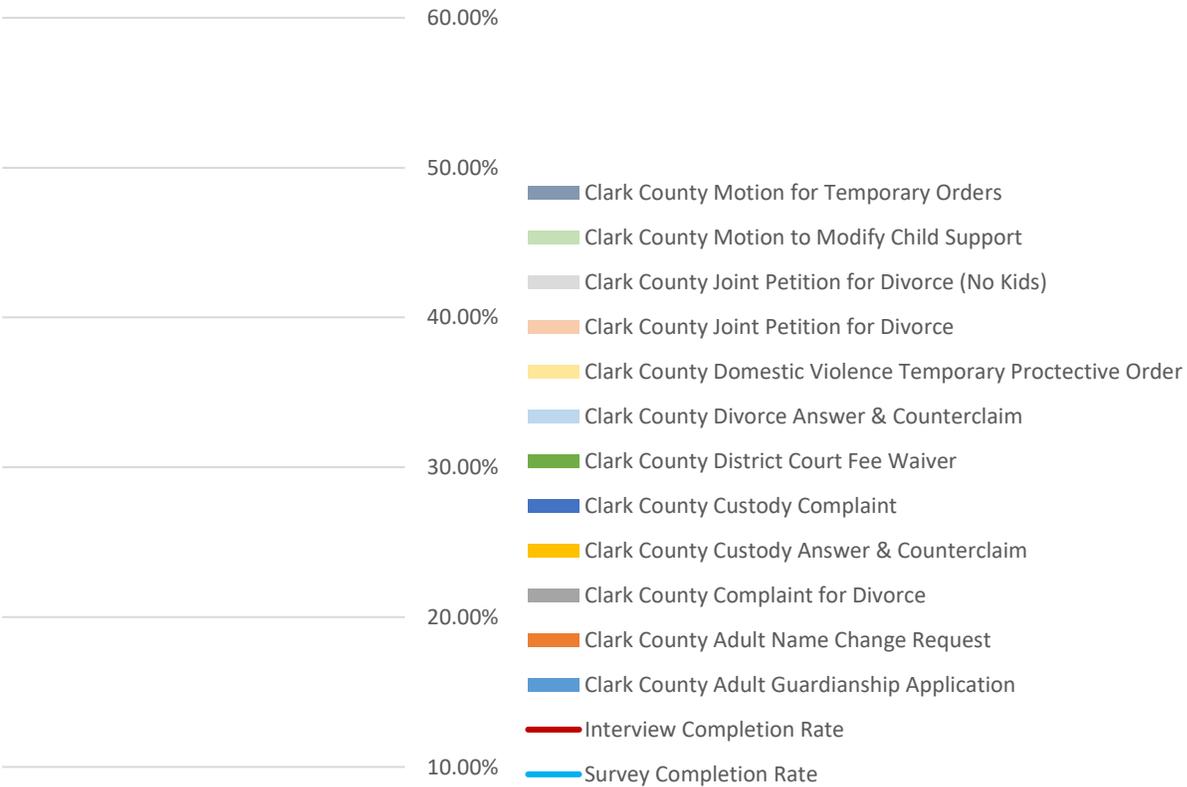


er 2020

May	June	July	August	September	October	November	December	YTD TOTAL
-	-	6	8	0	0	0	0	14
96	105	131	101	0	0	0	0	807
110	127	137	96	0	0	0	0	565
9	22	16	18	0	0	0	0	76
46	80	87	70	0	0	0	0	319
52	73	71	72	0	0	0	0	507
8	12	7	18	0	0	0	0	59
314	358	357	330	0	0	0	0	1508
162	193	186	178	0	0	0	0	959
0	0	0	0	0	0	0	0	0
22	36	26	19	0	0	0	0	149
6	19	15	12	0	0	0	0	81
825	1025	1039	922	0	0	0	0	4,814

94.58%	24.24%	1.37%	-11.26%					
2,598	3,144	3,010	2,722	0	0	0	0	14,998
31.76%	32.60%	34.52%	33.87%					
356	469	450	426	0	0	0	0	2273
43.15%	45.76%	43.31%	46.20%					

020 Guide & File Metrics





Second Judicial District Court
State of Nevada
Washoe County

Resource Center

Second Judicial District Court
1 South Sierra Street, 3rd Floor
Reno, NV 89501
(775) 325-6731

ResourceCenter@washocourts.us
www.washocourts.com/ResourceCenter

Response to COVID

At the end of March, the pandemic forced us to make the transition to a remote work environment. This required us to reimagine how we conduct business. Consequently, the below remote communication methods were put into place. Feedback from Second Judicial District Court (“Court”) patrons has been overwhelmingly positive, with many happy they can connect with a Court team member more quickly and have their questions answered more easily than pre-pandemic when assistance was only available in person. While some patrons would still prefer to speak to someone face to face, even after we reopen these new methods of communication will likely be a permanent part of the service offerings from the Court.

Summary of services

- **Live chat on our website at www.washocourts.com**
 - Visitors from around the world may communicate with a team member via a popup chat window on our website. There are no automated chat bots. The visitor simply types their question and is directly connected to a team member for assistance.
- **Team members available by phone at (775) 325-6731**
 - Callers may call the main Court phone tree and select the appropriate number for the Resource Center or call the Resource Center directly at the number above.
- **General inquiries via e-mail at resourcecenter@washocourts.us**
 - We can answer most general questions people have or direct people to the correct department
- **E-filing support at eflexsupport@washocourts.us**
 - Through the eFlex support e-mail we provide filers with the creation of new accounts, support with existing accounts, and general help navigating the world of electronic filing.
- **Limited in-person appointments**
 - For those who prefer to pay for things such as Court fines and copy certifications in person, we offer in-person services every Wednesday morning by appointment. This allows patrons to pay with a credit card or cash while ensuring that all sanitation and social distancing guidelines are followed.

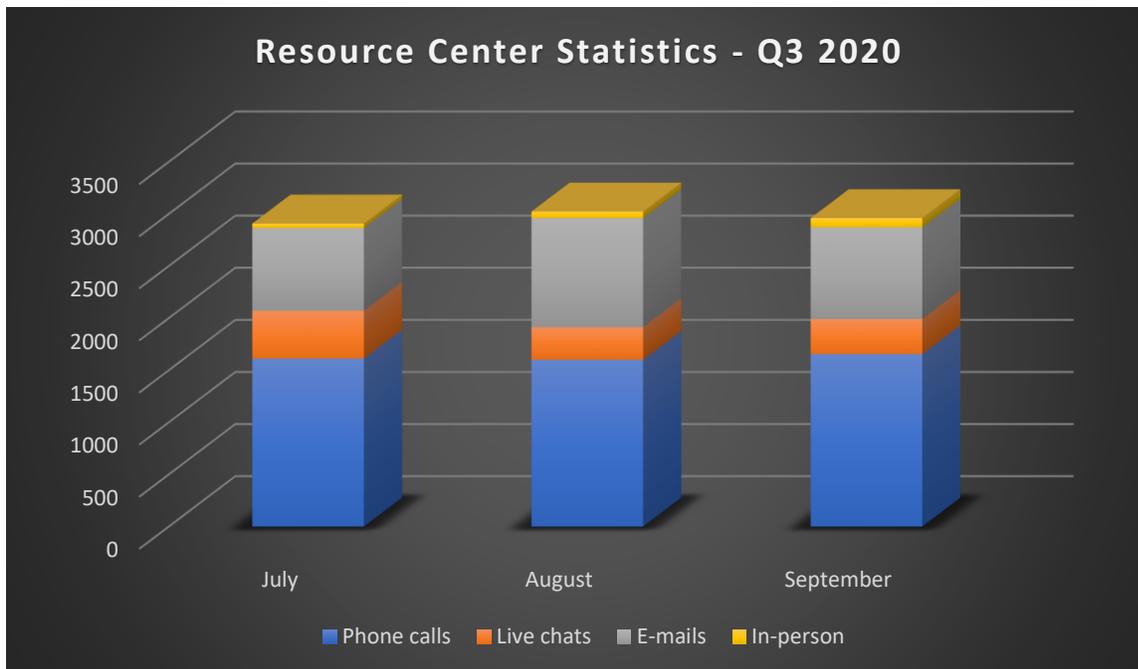


Second Judicial District Court
State of Nevada
Washoe County

- **A team member is available in the lobby on Mondays**
 - We have recently expanded the in-person services to the lobby of the courthouse at 1 South Sierra. Here people who prefer in person assistance can enter the courthouse and have their questions answered by a member of our team.

Statistics

Since transitioning to a remote work force, we have had a very strong response to increased availability in remote communications. In the last quarter we have had 4,873 phone calls, 1,109 chats, 2,721 e-mails, and 194 in-person appointments.





Second Judicial District Court
State of Nevada
Washoe County

Washoe County Law Library

Second Judicial District Court

75 Court Street, Room 101

Reno, NV 89501

(775) 328-3250

LawLibrary@washoecourts.us

www.washoecourts.com/LawLibrary

Response to COVID

Due to the ongoing COVID-19 pandemic, the Washoe County Law Library, inside the Second Judicial District Court, is currently closed for walk-in services. This emergency has posed unprecedented challenges not only to our library but to the legal community at large. The need for social distancing has caused the Washoe County Law Library to evolve in order to meet the needs of our patrons. Currently unable to assist patrons in person, we have developed several tools and modified services to ensure we continue to serve our community to the best of our ability.

While the building is closed, Law Library staff are working remotely, assisting patrons over the phone, by email and via live chat during regular business hours. We answer live phone calls and return voicemails promptly. We are reachable by utilizing our Ask a Law Librarian feature on our website or sending an email to: LawLibrary@washoecourts.us. Law Library staff also monitors a chat box on the Law Library website.

Summary of services

- **Virtual Lawyer in the Library**
 - The Lawyer in the Library program is by far one of our most in-demand services. We are happy to share we are continuing to offer this vital program. It has transitioned to a “virtual” format, utilizing the Zoom platform. We offer the Family Law program every Tuesday, General Law every Wednesday, and Probate Law on the 1st and 3rd Wednesdays of the month. Patrons can sign-up for the program on our newly revamped website. It continues to be well attended, with many volunteers and patrons expressing that the virtual program is much more convenient than the previous in-person program.
- **Digital Law Library cards**
 - We have updated our library card policy to allow patrons to obtain a library card without physically coming into the Law Library. Anyone wishing to obtain a card must read our Library Card Policy and fill out and sign the Library Card application. Once they return the signed application with a picture ID via email, we will issue a library card so they can access the online databases that require it and borrow books using contactless book lending.

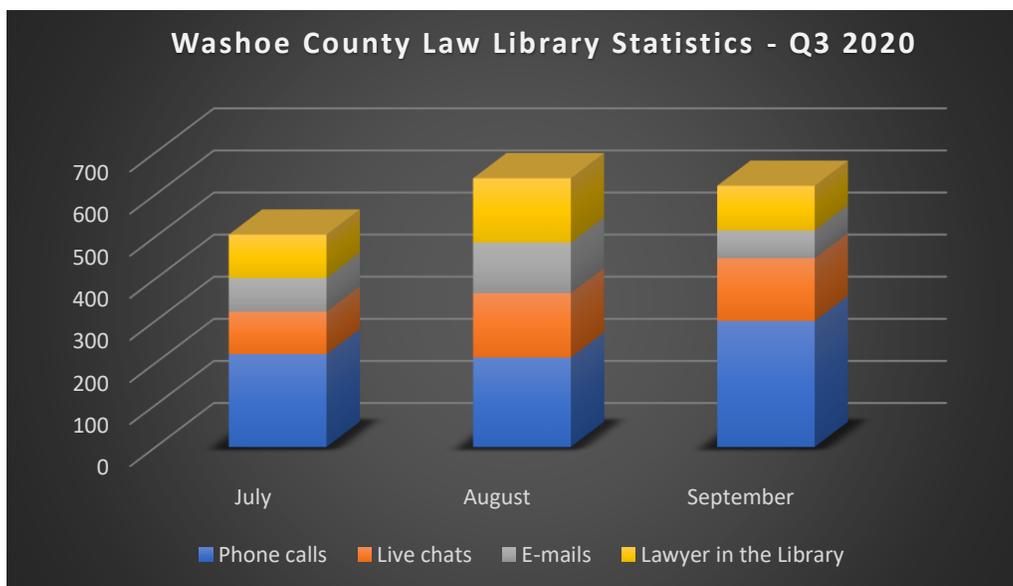


Second Judicial District Court
State of Nevada
Washoe County

- **Contactless book lending**
 - With our physical library collection inaccessible to the public, we are offering contactless book lending. Patrons can browse our library catalog online or contact us if they are looking for a specific title or topic. They can request to borrow up to 3 books and schedule a time to pick up the books outside the courthouse. Law Library staff will meet them outside for a contactless handoff. We are also scanning tables of contents or small sections of books, as needed.
- **Westlaw remote access**
 - Historically, the Washoe County Law Library has offered Westlaw access free to our patrons, but the research had to be performed from within the Law Library at one of our Westlaw terminals. Fortunately, Westlaw has also adapted to the needs of our patrons during the pandemic. We are currently able to offer free, remote access to Westlaw. Patrons can register for a trial of Westlaw that includes up to 20 hours of usage for 14 days. Content includes Westlaw Edge, secondary sources, and litigation.
- **Other online resources**
 - We are also offering other online resources that patrons can use to perform research from home. Gale Legal Forms is a forms database in which patrons can use to find legal forms templates and samples. EBSCO Host has over 80 full text legal publications and reference books written in plain English and targeted towards self-represented litigants.
 - We have created several instructional videos to assist patrons with how to electronically file with our Court. There are several other useful resources on our new and improved website.

Statistics

Although the Washoe County Law Library has had to be flexible and creative in the ways in which we are now assisting our patrons, it is clear that the need for our services has not decreased in these challenging times. In the last quarter we have had 734 phone calls, 403 chats, 266 e-mails, and assisted 307 patrons at our virtual Lawyer in the Library program.





ACCESS TO JUSTICE COMMISSION

CLE for Pro Bono - Call Highlights
Wednesday, April 1, 2020 – 2:00 p.m.

Attendees Present

Sarah Bates
Heather Barrow
Rhea Gertkin
Maggie Gonzalez
Debbie Jacoby
Annamarie Johnson
Noah Malgeri
Victoria Mendoza
Marissa Otteson
Emily Reed
Josie Techau
Edith Zarate

Staff Present

Anne Barlow – NVCLE, Laura Bogden – NVCLE, Stephanie Hirsch – SBN, Brad Lewis - ATJC

This call was set to discuss the procedure for reporting the new “CLE for Pro Bono” credit hours to NVCLE. Outlined below is a brief overview/planned procedure.

- The new CLE for pro bono rule became effective March 13, 2020
 - Highlights:
 - 1 CLE general credit for every 3 pro bono hours
 - Max 4 CLE credits from pro bono per year (NVCLE to help with monitoring)
 - CLE for pro bono is only available for uncompensated pro bono volunteers
- To maximize effective recording by NVCLE, providers should track the pro bono hours individual attorneys all year long, preferable using an Excel spreadsheet.
 - NVCLE will provide course #
- Then as soon as possible after Thanksgiving but prior to December 15, attorney CLE hours and earned credits should be reported by email to Anne Barlow at NVCLE at anne@nvcleboard.org.
 - Remember that there is a:
 - 1 CLE general credit for every 3 pro bono hours
 - Max 4 CLE credits from pro bono per year
 - You will be doing a year-long tracking of pro bono hours
 - Attorneys will not see their pro bono CLE credit until after Christmas
 - Please reinforce this information with your pro bono attorneys
- A reminder also that CLE education sessions similar to those you have conducted before still require advance notice to NVCLE, however pro bono case-taking and Ask-A-Lawyer/Lawyer in the Library programs will not require advance notice.



NVCLE Reporting Update from Anne Barlow:

We do not have a template for an excel spreadsheet. My suggestion would be to have the provider create something that will consist of the attorney's name, bar number, final date of the pro bono activity and the number of credits. I have no problem if the provider just submits a list of names with the relevant information and bypasses the spreadsheet. Whatever is easiest for the providers will work for me.

As you know, I created a course number for each of the providers and I provided each provider with their course number. As the maximum number of credits are 4.0 general, I do not think it will be too difficult to create something for reporting.

Nevada's new CLE for Pro Bono program initiative is yet another tool to encourage pro bono promotion. Thank you for your support of this initiative. If you have any questions at any time, please feel free to call or email me.

NBA June 2020 Newsletter –

The IOLTA Report: Justice for All?

Legal aid helping small businesses during COVID-19: Small Business Legal Advice Project

Our state's small businesses suffered enormous challenges due to the impact of COVID-19. Many are struggling financially and do not have funding for legal help. It is for this reason that Legal Aid Center of Southern Nevada, local volunteer attorneys and law firms, and Clark County are coming together to create a *Small Business Legal Advice Project*. With this project, Legal Aid Center will match volunteer attorneys with small business owners who have legal questions. To support the effort, Clark County accepted applications for a Small Business Stabilization Grant to help small businesses impacted by COVID-19 closures and restrictions.

This pro bono initiative, the first of its kind in the state, offers free legal consultations with volunteer attorneys to small business owners who are facing financial hardships as a result of COVID-19. The initiative connects eligible businesses with local, volunteer attorneys experienced in business matters related to the pandemic.

The *Small Business Legal Advice Project* will answer questions about these topics:

- Understanding Emergency Directives and the impacts on business
- Employment issues
- Independent contractor issues and business assistance options available
- Commercial evictions – when and to what extent are evictions permitted and what are tools business owners can use to mitigate issues
- COVID-19 liability and when businesses might be liable for COVID-19 consequences experienced by business patrons and customers
- FMLA benefits and what employers are expected to provide their employees under Covid-19 guidelines

The *Small Business Legal Advice Project* is not providing advice or services related to criminal matters, taxes or direct legal representation in a case.

Eligibility requirements:

- Projected business profit decrease of more than 25% since March 12, 2020
- Total business employees must be 25 or fewer as of March 1, 2020
- No financial means to hire an attorney based on current economic conditions

Barbara Buckley, executive director of Legal Aid Center of Southern Nevada said, "Small business owners have legal needs stemming from the shutdown and we understand they are struggling to stay afloat. It is important to us to utilize our best and brightest pro bono attorneys to help make a difference for small business owners just as our lawyers make a difference in the lives of the most vulnerable individuals and families." Clark County Commissioner Justin Jones agreed, "We are happy to collaborate with the Legal Aid Center of Southern Nevada to serve the needs of small business owners in our community."

If you have a relationship with a customer in difficult circumstances, help may be available. There are eligibility requirements to receive help through the *Small Business Legal Advice Project* as well as an [online application form](#). Applications are vetted by Legal Aid Center and if approved, the small business owner is contacted by a pro bono attorney for an initial consultation. If the questions are not answered

or resolved at that stage, the case is referred to a second pro bono attorney for a more in-depth telephone consultation – up to 1 hour, for free.

Legal aid is leveraging IOLTA (Interest on Lawyer Trust Account) dollars to help small businesses stay afloat, meaning jobs and a stronger business community which are critical to rebooting Nevada's economic recovery.

By Brad Lewis, Director, Nevada Supreme Court Access to Justice Commission

Justice for All? is a monthly series about civil legal needs experienced by Nevadans struggling to make ends meet. Leading Nevada financial institutions pay favorable rates on IOLTA - Interest on Lawyer Trust Accounts - that, along with court filing fees, grants and other funding, help deliver access to justice for all Nevadans, regardless of wealth, status, power, or the ability to pay. Permission to reproduce granted with acknowledgement to the Nevada Supreme Court Access to Justice Commission.

NBA August 2020 Newsletter –

The IOLTA Report: Justice for *All*?

Back to School Means Back to Work for Legal Aid Center Education Advocates

There are approximately 3,000 youth in Clark County's foster care system, ranging from infants to teens. The average age of a child entering foster care is 8 years old. For school-age youth in foster care waiting to return home or for a permanent placement, the COVID-19 pandemic continues to negatively impact the quality of their education. This situation is especially true for children with special education needs.

Back to school time is here. For many schools, classes are starting online, using distance learning due to the pandemic. How will this change impact students in foster care needing extra help with distance learning?

When schools closed last Spring, it was not long before Legal Aid Center saw several foster care students fall behind in their education. Many are without access to the internet or a computer. Legal Aid Center saw students with special education needs struggle to participate in distance learning, such as one high school senior assisted who was at risk of not graduating. This student was in foster care for the past six years. He lost credits when schools shut down due to the pandemic, and he could not turn in his work because delivery of his laptop was delayed.

Youth in foster care do not have a parent or guardian to advocate on their behalf to ensure the school is meeting the youth's needs. And foster care case workers are prohibited by law from taking on an educational advocacy role. That's where legal aid steps in. Legal Aid Center's education advocate ensured the student received his missing credits, which enabled him to graduate on time. Helping kids graduate is tantamount to future success.

Legal Aid Center of Southern Nevada has a team of dedicated education advocates who are passionate about helping children with special education needs receive appropriate services designed to meet each student's individual needs. According to the U.S. Department of Education, *every* child is entitled to receive a free and appropriate public education.

Legal aid education advocates help by assessing foster youths' educational needs. The Legal Aid Center team works closely with teachers, counselors and administrators to find flexible and creative modifications to the curriculum to ensure it is accessible to students with disabilities. Individualized Education Plans (IEPs) or 504 plans are modified to create success for students. If a student falls behind or faces significant setbacks at school, legal aid takes appropriate action with schools to provide services so the student can make up skills.

Legal Aid Center is currently working with the Clark County School District and the Department of Family Services to improve the education of foster care students. The upcoming school year is certain to challenge at-risk students. With just a little help, Clark County foster kids can achieve success that contributes to our community. As founder and president of the Children's Defense Fund, Marian Wright Edelman, said, "Education is for improving the lives of others and for leaving your community and your world better than you found it." Legal Aid Center of Southern

Nevada's education advocates are working to do just that. IOLTA dollars are at work in Nevada communities to improve educational outcomes for foster kids. It's a win-win.

By Christine Miller, Director of Community Initiatives and Outreach, Legal Aid Center of Southern Nevada

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NBA September 2020 Newsletter –

The IOLTA Report: Justice for *All*?

Nevada Financial Institutions and Nevada Legal Aid Operate with “All Hands on Deck”

The Paycheck Protection Program had Nevada financial institutions scrambling to make emergency loans available to their regular and new customers, a critical part of promoting Nevada’s economic stability at a time of immense stress.

The July/August 2020 *ABA Banking Journal* featured this perspective, "It was incredibly apparent to us almost immediately that there was no way that the [commercial lending] workforce alone could handle it," says Mark Gim. At Washington Trust, the commercial banking team recruited employees from across the bank—retail, wealth management, operations, technology, compliance. "I think the most impressive aspect of this was not that we got a process forged and hammered into place that became effective in a period of several days, but that the motivating impulse behind all of it was getting money to customers who needed it or—not even customers—getting money to *businesses* who needed it."

The same has been true of legal aid in Nevada. 20 percent more pro bono attorneys were recruited to help with COVID-19 related legal problems and handle a fivefold increase in inquiries. When paychecks stop, particularly for the poor, everything from housing to healthcare can become an immediate emergency. Legal aid is positioned to navigate the nonprofit community and legal system, preventing homelessness and providing avenues for medical attention during the pandemic.

One area of need, and the highest return on investment (ROI), is by assisting at risk seniors with advance directives and simple wills that help avoid unwanted medical treatments and the associated expenses which burden governments at the local, state and national level. The *recent Statewide Study of Legal Needs and Economic Impacts* found that these efforts save \$18 million each year in unnecessary spending. While the complexity of working with this target population has been complicated by the closing of access to senior centers, nursing homes and hospitals, the Southern Nevada Senior Law Program continues to find creative ways to serve the senior community in southern Nevada.

Difficult times bring forth unique challenges and creative responses to help people and businesses in need. Nevada’s financial institutions and Nevada’s legal service providers are both part of helping to create economic and social stability for all in our communities throughout Nevada.

We thank and appreciate the dozens of Nevada financial institutions that through IOLTA (Interest on Lawyer Trust Accounts) are part of helping stabilize and build stronger Nevada Communities.

By Brad Lewis, Director, Nevada Supreme Court Access to Justice Commission

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NBA October 2020 Newsletter –

The IOLTA Report: Justice for All?

Eviction Mediation Program Designed to Keep Tenants Housed, Get Landlords Paid

COVID-19 continues to roil Nevada. The Nevada Treasurer's Office has estimated that 135,000 Nevadans may face eviction. The Guinn Center estimates that as many as 118,000 – 142,000 households may have struggled to pay their rent in September.

[Nevada Senate Bill 1](#) was passed out of the Senate 18-3 and out of the Assembly 38-4. It provides for a 30-day stay in certain eviction proceedings so that mediated settlement agreements could be reached which would divert cases from the courts. This could accomplish multiple goals, including promoting health safety for the public and court personnel during the pandemic, keeping tenants and their families safely housed, getting much needed funds in the hands of landlords, and diverting court cases to avoid the expected backlog.

As you may know, the Governor's Nevada eviction moratorium expired on October 14, but the national Centers for Disease Control (CDC) eviction moratorium remains in place through the end of 2020. As Nevada has been hit especially hard with unemployment, many are strained in an attempt to keep a roof over their heads. At the same time, many landlords are in desperate need of relief.

The Eviction Mediation Program is designed to address all of these issues. The 30-day stay creates a window in which settlement agreements can be attempted. Mediators will have special access to both statewide rental assistance and Department of Employment, Training and Rehabilitation (DETR) adjudicators so that, if funds are available to be written into mediated agreements, those agreements will be diverted from the courts. These cases will get money to landlords and keep tenants housed.

If you work with landlords seeking monetary relief, or know a tenant in precarious circumstances, here's how the process will work. If an eviction notice is served, the tenant may answer that in court. The landlord may then file a complaint which will cause the court to set a hearing date. Either party may request mediation. Any case for which mediation is requested will have a hearing set no sooner than 30-days after the filing of the complaint. A mediator will then be assigned and will set a mediation during the 30-day period. If an agreement is reached, the mediator will send the agreement to the court, vacating the hearing. If no mediation agreement is reached, the mediator will also notify the court. If the landlord does not participate in mediation, the court may dismiss the case. If the tenant does not participate in mediation, the court must proceed with the hearing on the summary eviction.

Home Means Nevada, under *The Renter Connect* program, was appointed by the Nevada Supreme Court as administrator. Landlord and tenant resources are available through [The Renter Connect](#). Both landlords and tenants with eviction cases filed on or after October 15 are encouraged to register online at *The Renter Connect*.

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By Brad Lewis, Director, Nevada Supreme Court Access to Justice Commission

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Public Awareness 110220 –

Since the June 19, 2020 report...

State Bar of Nevada Recognized by ASAE for Its Research on Justice Gap

When the State Bar of Nevada began, in 2016, to study the legal access challenges faced by people with low incomes, the bar encountered a challenge of its own: conducting a survey whose respondents were difficult to reach because of transitional housing, a lack of landlines, and other factors. So, a team of law students and other volunteers from legal aid and from the bar met with people in person, in such locations as dollar stores, Laundromats, and rodeos. This research, and the policy solutions it has helped to bring about, led to the State Bar of Nevada being identified by Associations Now as one of its "100 Associations That Will Save the World" and included in the ASAE Research Foundation's "Impact Every Day" Initiative. A [profile at Associations Now](#) shares more details about the bar's research and how it has helped increase access to justice.

Twitter - We increased from 191,378 to 201,137 impressions and from 6,974 to 7,114 profile visits. We encourage you to follow us **@NevadaATJ**.