



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