

ACCESS TO JUSTICE

NANCY ALLF, PRESIDENT, STATE BAR OF NEVADA

"Equal justice under the law is not just a caption on the facade of the Supreme Court building. It is perhaps the most inspiring ideal of our society. It is fundamental that justice should be the same, in substance and availability, without regard to economic status."

— Supreme Court Justice Lewis Powell —

With the creation of the permanent Access to Justice Commission by the Nevada Supreme Court in August 2006, and with the State Bar of Nevada's support of that commission, there is a sincere effort being made to increase access to justice for the residents of Nevada. The court created the commission, composed of 24 members, and the state bar employs a staff person whose job is to serve as support for the commission. This framework is intended to benefit the state by improving the delivery of legal services to the most needy portions of the population.

For years, many organizations in our state have worked diligently to organize and deliver pro bono services and facilitate access to justice, among them Nevada Legal Services, Washoe Legal Services, Clark County Legal Services, Volunteer Attorneys for Rural Nevada, and Senior Citizens Law Project. The Nevada Law Foundation, as recipient of IOLTA funds from Nevada lawyers, provides funding to the legal services providers. However, with the explosive growth of our state in the past few years, it was recognized that a unified, concerted effort was needed to develop the scale of programs needed to meet the needs of our population. First, it was determined that a comprehensive legal needs assessment was needed. The state bar pledged to assist in paying for the assessment.

The Access to Justice Commission's 24 members include judges, attorneys and corporate partners. The commission is co-chaired by Justices Michael Douglas and James Hardesty, and is charged with:

- assessing the needs of Nevadans with limited means for legal services
- developing statewide policies to further access to justice

- improving self-help and pro per services
- increasing pro bono activities
- increasing public awareness of the need for access to justice
- investigating public and private financing to improve access to justice, and
- recommending legislation or rule changes to Nevada governmental bodies

Under the umbrella of the commission, legal services providers from all over the state meet regularly to coordinate their efforts, and this high level of cooperation has allowed for the free exchange of ideas. All parties are optimistic that the regular meetings have been helpful, especially in the under-served rural areas.

The state bar, and its Board of Governors, has been supportive of the commission's efforts since the formation of the commission. Our bar dues increase in 2006 was in part due to the need to staff the commission. The increase was sought, though, for many reasons. It put us on a five-year dues cycle, so that members would have some predictability. But the overriding policy reason for raising dues was to help fund the bar's increased participation in increasing and encouraging pro bono services by members, and in the promotion of legally-related and public services programs.

The commission has been busy over the past year and a half. It has focused on creating a structure to meet its charge. This structure has involved the creation of subcommittees to act on and complete the commission's goals. Through the subcommittees, the commission has formed a non-profit corporation. It has become involved in a public lecture series designed to expose students and young lawyers to careers in public service, promoted mandatory



State Bar of Nevada
MISSION

Our mission is to govern the legal profession, to serve our members, and to protect the public interest.

pro bono reporting, and works to connect with Nevada's judges, media, corporate sector and more. It has also worked on establishing an "emeritus" program, which would allow lawyers on inactive status to do pro bono work.

In January, the commission completed phase one of the "Nevada Civil Legal Needs Survey." This survey of low- to moderately-low-income Nevada residents showed that nearly two-thirds of the households surveyed experience significant legal problems that would ordinarily require at least some assistance from an attorney to resolve. The most frequent problems involve tax problems, the need for debt relief through bankruptcy, credit matters, contract disputes, purchase problems, problem loans and disputes with utilities. The survey revealed so many common issues among under-served populations that they can't all be listed here, but the commission is hopeful the needs assessment will provide guidance on the areas that need initial focus, so it can build programs to serve the most acute needs. The State Bar of Nevada is committed to supporting the concept of access to justice and it will work with the commission every step of the way. The state bar recently agreed to devote a full-time staff person to the needs of the commission.

The Access to Justice Commission sponsored a contest to create a logo for the commission. Here is the winning logo, created by Kathy Watkins of Watkins Advertising and Marketing, Inc. of Las Vegas.



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Last month, the State Bar of Nevada held its mid-year meeting at the Boyd School of Law on the UNLV campus, and the meeting focused on leadership training and policy communication. The programming was excellent, with volunteer speakers and panelists which included Senator Richard Bryan, Valerie Wiener, *Las Vegas Review-Journal* business writer Dana Gentry, Gloria Sturman, Von Heinz and Brett Kandt. Thank you to Board of Governors members Cam Ferenbach and Constance Akridge, who co-coordinated the day on behalf of the board. But the biggest congratulations are due to the Young Lawyers Section, which coordinated the meeting with the assistance of bar staff. It was the best mid-year meeting we've held since we started having a mid-year meeting over six years ago.

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On February 12, 2008, the Nevada Supreme Court granted a joint petition of the State Bar of Nevada and the Nevada Law Foundation to amend the Supreme Court Rules to call for a comprehensive IOLTA system for Nevada lawyers. See the new rule in this issue of *Nevada Lawyer* on page 23, and watch for the April issue, where we'll have an article with more extensive details. **NL**