



Final Report

Prepared for the
**Nevada
Supreme Court
Access to Justice Commission**

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Executive Summary

This report describes a study of the legal needs of low-income Nevadans in 2016 and 2017 and the economic impacts of providing civil legal aid to meet these needs. The study was commissioned by the Nevada Supreme Court Access to Justice Commission and conducted by The Resource for Great Programs.

The study revealed that by providing access to the civil justice system for Nevadans in poverty, Nevada's legal aid programs produce an array of positive outcomes – including more than \$128 million in economic impacts annually – that ripple outward to benefit all segments of society.

The study sought to generate answers to several fundamental questions:

- ***How has the target population of legal aid changed since the last legal needs study was published in 2008?*** Has Nevada's total population continued to expand at the pace seen before the Great Recession? How have particular segments (e.g., immigrants, children, the elderly, Native Americans) changed over that same time period?
- ***What legal problems are being experienced within the broad categories identified by the 2008 study? How have these changed since 2008?***
- ***Where do people go when they can't afford a lawyer?***
- ***What benefits for society are being produced by civil legal aid?***
- ***What opportunities are available for more effectively and efficiently addressing the legal needs that are identified?***

Major Findings of the Study

In summary, this report found that:

- **The “Justice Barrier” is high.** The disparity between the number of low-income people needing legal help and the capacity of legal aid to provide it amounted to more than 112,000 unmet legal needs in 2017 – 76 percent of the total number of legal problems that low-income Nevadans experienced that year. *This means that three out of four low-income Nevadans who seek to protect their families, their homes, and their livelihoods in a legal crisis must proceed in court without legal help.*
- **Legal aid is underfunded.** Because of limited funding, *Nevada has just 84 legal aid lawyers to serve 400,000 low-income Nevadans – one legal aid lawyer for every 4,800 people living at or below the poverty line.* In contrast, the ratio for Nevadans living above that income level is **12 lawyers** for every 4,800 people.¹

¹ When we add the pro bono efforts of Nevada's private lawyers participating in pro bono programs operated by legal aid organizations, the total number of lawyers serving Nevadans living below the poverty line amounts to 1.2 lawyers for every 4,800 people. See footnote 7 on page 3 of the report for details.

- **Legal aid produces solutions.** *Legal aid prevents homelessness, ends domestic violence, and stops consumer fraud.* Even with its limited funding, legal aid prevents cascading problems and keeps clients in their homes and on the job and their kids in school. It opens doors to other support services that multiply its impact.
- **Legal aid lifts the economy.** Legal aid's return on investment is enormous. The \$18 million invested annually in legal aid in Nevada returns \$128 million to Nevada's economy. *This means that for every \$1 spent, legal aid returns \$7.* The economic benefits come through cost savings for law enforcement, government, and health care; direct-dollar income that supports children, veterans, and people with disabilities; and increased revenue for businesses from the spending of those dollars by legal aid clients out in the community. That revenue, in turn, supports 376 jobs for working Nevadans.
- **The size of Nevada's low-income population soared during the Great Recession and has persisted after.** *In 2016, a total of 400,000 Nevadans lived at or below the federal poverty threshold, nearly 50 percent higher than a decade earlier (2006), after surging three times faster than the state's fast-growing overall population. Some population segments grew even faster during that period, including seniors (100 percent) and Native Americans (80 percent).*
- **Nevada's legal aid programs provide access to our civil justice system for people who have nowhere else to turn.** The providers help low-income Nevadans escape an abusive situation, stop a wrongful foreclosure, and defend against a fraudulent debt collector. *In 2017, the five Nevada legal aid providers completed 34,600 cases for low-income clients and their families, thereby enabling them to address critical legal issues directly affecting their families, homes, incomes, jobs, and access to vital services such as health care and utilities.*
- **Nevada's poorest residents experience 147,000 legal problems per year.²** Taking the full range of those eligible for free legal aid (with incomes up to 200 percent of poverty) into account, the study shows that as many as 262,000 legal problems are experienced each year by low-income Nevadans. *The survey found an incidence of 74 legal problems per 100 low-income Nevada households³ in 2017.*
- **Only one-third of those experiencing a legal problem seek legal help in addressing it.** *The survey revealed that two-thirds of these people do not seek help when they experience a legal problem and, as a result, either attempt to address their problems on their own or give up and take whatever consequences the legal system offers, often with disastrous results. The reasons for this behavior are many, including a lack of awareness that one's problem has legal dimensions, a lack of knowledge that one qualifies for free legal assistance, or a perception based on the "word on the street" that due to limited resources legal aid does not handle one's specific legal problem.*

² This is the incidence of legal problems among households living on incomes at or below 125 percent of the federal poverty line – see Exhibit 14 on page 25.

³ At or below 125 percent of the federal poverty line.

- **The implications of the “Justice Barrier” can be disastrous for the people affected.** An unmet need for legal help when one is turned down for disability benefits, for example, can mean that the person is unaware of her legal rights, unable to file a timely appeal, and either gives up or has her appeal denied. *With legal help, the person is able to file a timely appeal, has a higher chance of being approved for benefits and, if successful, receives an average benefit of \$830 per month in additional income and a profoundly better life.* This report provides examples of the equally dire implications of unmet needs for legal help in other situations, such as domestic violence and eviction.
- **The economic impacts of legal aid in 2016 totaled \$128 million, including income for low-income households (\$40 million), cost savings (\$38 million), and a multiplier impact (\$50 million) on local economies across Nevada** generated by the spending of federal dollars brought into Nevada communities as a result of legal aid’s operations and successful legal assistance for clients.
- **The economic impact findings are very conservative.** The economic impacts quantified by the study were based only on “hard” data and the findings of external research that convincingly documents the validity of assumptions that were applied. The study noted, but did not include, additional impacts that occur through legal aid’s successful assistance to low-income clients, but which are harder to definitively quantify. These perhaps are even more significant than the impacts that were counted. Just three examples of such additional impacts are:
 - **More than \$6 million worth of additional legal services donated annually by Nevada lawyers** who participate in organized pro bono programs operated by legal aid providers.
 - **Additional millions of dollars in cost savings achieved through avoidance of the long-term impacts of eviction or foreclosure**, including savings in costs of foster care for children that were avoided, mental health services that were not needed and unscheduled absenteeism by employees that was prevented as the result of assistance from legal aid advocates.
 - **Savings from easing the strain on the local court system.** By providing representation to low-income clients and resources to help people prepare for representing themselves in court, Nevada legal aid programs enable the court system to stretch resources and operate much more efficiently, returning a documented (and likely conservative) impact figure of \$2-\$4 for every dollar spent on self-help programs.
- **The significant economic impacts generated by Nevada legal aid programs present an enormous opportunity for funders and partners.** The “Justice Barrier” presents both a challenge for the civil justice system and an opportunity for funders. *Every additional dollar invested in Nevada legal aid programs will mean not only a lowering of the “Justice Barrier” but a 7-to-1 return* in the form of income for clients, cost savings for Nevada institutions, and the multiplier impact of additional federal dollars on local economies throughout the state.

- **The study highlighted five strategies for reducing the Justice Barrier.** These were offered for consideration by the Access to Justice Commission and the Nevada legal aid providers as avenues for increasing capacity and generating additional funding through initiatives to be undertaken as follow-up action on findings of the study. They include:
 - **Resetting priorities** to accept or refocus on the most urgent legal problems, or the problems of greatest impact, or the problems affecting the most people, or all of the above.
 - **Refining and expanding the multi-tiered service delivery system currently in place** through a strategic review of opportunities for enhancing effectiveness and efficiency through strategic investments that expand certain service tiers (for example, help for self-represented litigants) into areas of the state where they are not currently available and/or application of technologies and best practices developed in Nevada and elsewhere that provide more bang for the buck than the delivery methods that are currently being used.
 - **Pursuing innovation opportunities** by seeking partners and funders to invest in such innovations as courthouse self-help centers statewide equipped with technology, paralegals, and/or lawyers; streamlined court processes – forms and procedures; e-file systems; systems using videoconferencing (e.g., Skype) to serve clients in remote areas; and Web-based intake as an adjunct to toll-free phone systems and walk-in intake.
 - **Forming collaborative partnerships** by seeking opportunities for expanding current partnerships and forming new ones with other entities that serve the low-income community, such as medical/legal aid or business/legal aid collaborations.
 - **Increasing funding for legal aid programs and initiatives.** All of the efforts described above require funding – for staff, for outreach, for facilities, and for technology.
- **Most urgently, funding is needed for more lawyers.** *Access to justice really means being able to consult a lawyer when one needs legal advice, and ultimately being able to have a lawyer appear in court on one's behalf when a legal crisis such as being served with an eviction notice threatens one's home, family, personal safety, and livelihood.*

Conclusion

The 2018 Legal Needs and Economic Impact Study shows that Nevada legal aid programs are providing essential services that help thousands of low-income residents of Nevada each year to address critical legal issues directly affecting their families, homes, incomes, jobs, and access to vital services. The “Justice Barrier” faced by low-income Nevadans presents both a challenge and an opportunity to the Nevada civil justice community. The findings of this study have demonstrated that additional investments aimed at lowering the “Justice Barrier” not only will help many more people, they also will have a dramatic, 7-to-1 economic return that will benefit everyone in Nevada.

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A. INTRODUCTION

Overview of This Report



Equal Justice is an American Ideal but For Many it Remains Elusive.

Civil legal aid helps ordinary Americans escape an abusive situation, stop a wrongful foreclosure, and obtain counsel, advice and representation for abused and neglected children in foster care. Too often, however, ordinary Nevadans who seek to protect their families, their homes and their livelihoods must face court without legal help.

Finding yourself in court alone can be terrifying, but the study described in this report reveals that this is exactly what's happening today for three out of four low-income Nevadans involved in civil court cases.

The shared primary mission of Nevada's legal aid programs is to enable access to the civil justice system for people who lack the means to hire a lawyer. Representation by legal aid advocates fulfills one of our society's most basic promises: *Equal Justice under Law*.⁴ The Nevada Legal Needs and Economic Impact Study shows that in pursuit of this mission, Nevada's legal aid programs also produce economic outcomes that ripple outward to benefit many other segments of society.

For example, by helping parents secure child support payments, legal aid triggers a stream of revenue and spending that benefits local economies throughout Nevada. Legal aid advocates save millions of dollars annually by keeping families in their homes, by helping women and children escape domestic violence, and by making public programs and the court system work more efficiently and effectively.

⁴ Quote over the entrance to the U.S. Supreme Court building in Washington, D.C.

Overview of This Report

This report describes a study of legal needs and economic impacts of civil legal aid in Nevada in 2016 and 2017. The study was commissioned by the Nevada Supreme Court Access to Justice Commission and conducted by The Resource for Great Programs.⁵

The study sought to generate answers to several fundamental questions:

1. *How has the target population of legal aid changed since the last legal needs study was published in 2008?*
2. *Has Nevada's total population continued to expand at the pace seen before the Great Recession?*
3. *How have particular segments (e.g., immigrants, children, the elderly, Native Americans) changed over that same time period?*
4. *What legal problems are being experienced within the broad categories identified by the 2008 study? How have these changed since 2008?*
5. *Where do people go when they can't afford a lawyer?*
6. *What benefits for society are being produced by civil legal aid?*
7. *What opportunities are available for more effectively and efficiently addressing the legal needs that are identified?*

In summary, this report found that:

1. **The “Justice Barrier” is high.** The Justice Barrier is a term describing the disparity between the number of low-income people needing legal help and the capacity of legal aid to provide it.⁶ Nevada's poorest and most vulnerable residents have 147,000 legal problems per year. Legal aid currently has the resources to complete only about 35,000 cases annually, a significant contribution, but still addressing only 24 percent of the total need.
2. **Legal aid is underfunded.** Because of limited funding, Nevada has just 84 lawyers to serve 400,000 low-income Nevadans – *one lawyer for every 4,800 people* living below the poverty line. In contrast, the ratio of lawyers to Nevadans living above the poverty line is *12 lawyers* for every 4,800.⁷
3. **Legal aid produces solutions.** Legal aid is about preventing homelessness, ending violence, and stopping consumer fraud. Even with its limited funding, legal aid prevents

⁵ The Resource for Great Programs is a national corporation dedicated to providing strategic support to civil justice programs that seek to expand access to justice for low-income people. Details about The Resource may be obtained at www.GreatPrograms.org.

⁶ Many studies of un-met legal needs describe this disparity as a justice “gap”. We use the term “justice *barrier*” to emphasize it is something to be overcome, a problem that arises from society's failure to adequately fund the legal help that people need in order to exercise the civil legal rights that our system of “Justice Under Law” promises to everyone.

⁷ Leaders in Nevada's private bar have long recognized this disparity and responded both financially and through participation in pro bono programs serving low-income Nevadans. In 2017, Nevada's private lawyers donated 30,600 hours of free legal services through their participation in pro bono programs operated by Nevada legal aid providers – roughly equivalent to adding 15 lawyers to the total legal aid effort. This has the effect of raising the number of lawyers serving Nevadans living below the poverty line to about 1.2 lawyers for every 4,800 people.

cascading problems and keeps clients in their homes, on the job, and their kids in school. It opens doors to other support services that multiply its impact.

4. **Legal aid lifts the economy.** Legal aid's return on investment of legal aid is enormous. The \$18 million invested annually in legal aid in Nevada returns \$128 million to Nevada's economy. This means that for every \$1 spent, legal aid returns \$7. The economic boost comes through cost savings for law enforcement, government, and healthcare; direct-dollar income that supports children, veterans, and people with disabilities; and increased revenue for businesses from the spending of those dollars by legal aid clients in the community. As indicated in section G, that revenue in turn supports 376 jobs for working Nevadans.

This report summarizes the purposes, methods, and findings of the study. The next section of this report provides a more detailed overview of the study's scope, methodology, and analysis. Subsequent sections present the findings of each of the study's major elements, including the demographic analysis, the profile of Nevada's legal aid providers, the legal needs revealed by the client survey, the Justice Barrier faced by low-income Nevadans in getting their legal needs met, and the economic return-on-investment that was estimated through an analysis of the legal aid cases and outcomes produced by Nevada's five core legal aid providers in 2016 and 2017.

This report concludes with a summary of the feedback from meetings that were held with stakeholders in six locations across the state at which preliminary findings of the study were presented and with a review of five broad strategies that the Access to Justice Commission can consider in future efforts aimed at lowering the Justice Barrier for low-income Nevadans.

B. OVERVIEW of the Study



In 2017, the Nevada Supreme Court Access to Justice Commission commissioned a study from *The Resource for Great Programs* (“The Resource”) for the purpose of updating the findings from the last statewide study of legal needs of low-income people in Nevada published in 2008 and for assessing the economic impacts of legal aid programs in Nevada. The study was launched in September 2017 and completed in June 2018. It included six major elements:

1. **A demographic profile of low-income Nevadans**, aimed at determining how the target population of legal aid had changed over the decade since the last legal needs study was performed, a time period which included the Great Recession of 2008-2011;
2. **Estimates of the legal needs of the low-income population**, quantifying the incidence of legal problems experienced by both the general population and population segments facing special barriers in accessing legal aid such as seniors, veterans, people with disabilities, and residents of rural areas;
3. **A profile of civil legal aid provider organizations** serving low-income people in Nevada;
4. **A picture of the “Justice Barrier”**, that is, the legal needs that were NOT being met as a result of limitations in the capacity of existing legal aid providers to address the need;
5. **An economic impact analysis** that quantified the return-on-investment being produced as a result of civil legal aid; and
6. **Training, materials, and technical support for a series of stakeholder meetings** sponsored by the Access to Justice Commission and the core legal aid providers held at six locations across the state for the purpose of sharing the findings of the study and getting feedback from those stakeholders.

This section briefly describes the methods used for legal aid provider involvement in the study, the data collection methods that were used, the major elements of the analysis, and the limitations of the methodology and how they were addressed.

Legal Aid Provider Involvement in Design and Implementation

Throughout the course of the project, the Access to Justice Commission and The Resource engaged Nevada legal aid providers as partners in the design and conduct of the research. A study team composed of the executive directors, and in some cases, other senior executives of the five core legal aid provider organizations, as well as the executive director of the Commission and the associate dean of the Boyd School of Law, met with researchers of The Resource in more than 24 online (GoToMeeting™) work sessions held over the one-year course of the study to direct the research, review preliminary findings, and obtain feedback on the methods, data sources, and assumptions being applied. The study team also was asked to review and comment on several drafts of the findings, observations, and conclusions of the study; and the team's feedback was incorporated in the final draft of this report.

Data Collection Methods

The assessment was designed to utilize, wherever possible, reports and other data that already were being collected by providers, supplemented with data that providers could easily produce from their files and computer systems, such as financial data, client outcomes data, and Case Statistical Reports (CSRs). Those data provided crucial inputs for the profile of legal aid provider organizations presented in section D of this report as well as the "Justice Barrier" analysis of section F and the economic impact analysis described in section G.

In addition to the study's emphasis on using readily available program data, a centerpiece of its methodology was a statewide sample survey of Nevada's low-income population, conducted by the legal aid providers with technical assistance from The Resource. The survey method is summarized in Exhibit 1.

Exhibit 1

How Did We Measure Legal Need?

The Survey of Low-Income Nevadans



The Sample

- **1,050** people were surveyed in October-December 2017

Methodology

- Face-to-face interviews
- Supervised, self-administered surveys
- Asked about legal problems in last **3** years

Locations - *Places where low-income people gather*

- Bus stops
- Senior centers
- Medical centers
- Dollar stores

The field work for the survey was conducted by staff members of the legal aid provider organizations, by law student volunteers from the William S. Boyd School of Law at the University of Nevada, Las Vegas (UNLV), and by other volunteers such as social work graduate students from UNLV.

These survey workers, recruited and supervised by the Nevada legal aid providers, interviewed respondents face-to-face in places where low-income people gather, such as “dollar” stores, laundromats, bus transfer stations, and human services offices in communities around the state. The Resource designed the survey instrument and provided training and technical support to the project team as the survey proceeded. The survey was conducted during a six-week period in October-December of 2017.

Analysis

The analysis had three components:

1. **Analysis of case statistics.** Statistical data on cases handled during 2016 and 2017, the most recent years for which comprehensive data were available, were used in the analysis. Data were provided to The Resource in aggregated form by the legal aid providers from their case management systems.
2. **Economic impact analysis.** This analysis applied three types of data:
 - *Numbers of cases of types known to produce economic impacts* for example, numbers of “child support” cases in which the divorce settlement includes a monthly dollar amount to the custodial parent.
 - *The “success rate”– the percentage of cases completed by the program that produced a specific outcome having an economic impact.* Where there were gaps in the outcomes data collected by Nevada programs, The Resource estimated success rates using financial estimation models we have developed using data from other states such as New York, Virginia, and Pennsylvania, wherein case output data is collected by legal aid programs using systems mandated by their state funders. In this report, we have flagged those figures that are based on estimates derived from financial models rather than outcomes tracked by the programs in Nevada. The assumptions and methods used for these modeling efforts are described in detailed notes accompanying the detailed tables for the economic impact portion of the study presented in Appendix A.
 - *The magnitude of the impact per successful case.* For example, the average child support award made to custodial parents in the jurisdictions being served by the legal aid programs was one measure of impact that was used. The data sources and assumptions we used for estimating the magnitude of economic impacts are documented in the notes to the tables presented in Appendix A. Wherever possible,



The Resource applied average figures derived from agencies overseeing these matters – for example, key information for estimating the average cost of providing emergency shelter for families rendered homeless through eviction or foreclosure were obtained from the U.S. Department of Housing and Urban Development.⁸

Where figures specific to Nevada were not available, we used data from state and/or national sources that approximated as closely as possible the conditions that applied in Nevada. In some cases, adjustments were required; for example, for child support, we adjusted the average award by the percentage of awards that are actually collected by award recipients based on national statistics reported by the Census Bureau.

3. **The “Justice Barrier.”** For the general low-income population, we estimated the *number and types* (family, housing, consumer, etc.) of legal problems occurring each year in Nevada by extrapolating the findings from the sample survey of 1,050 low-income Nevadans conducted for the study to the overall population of low-income Nevada residents. To estimate legal aid *capacity* in each of these legal problem areas, we applied the case statistics provided by the five core legal aid programs serving Nevada.

Limitations

Since the assessment was designed to utilize, wherever possible, reports, studies, and other data that were already available rather than data collected specifically for this study, our analysis required the application of numerous adjustments and assumptions.

This is always the case when applying secondary data for addressing real-world questions rather than collecting new data to achieve a specific scientific or policy purpose.

Our approach in studies like this is to fully document our data sources and to specify as clearly as possible the assumptions we have applied in bridging the gaps inevitably found in the data and studies that we have been able to find.

Our rule of thumb is always to err on the conservative side when making these assumptions. For example, in our analysis of the cost savings achieved through prevention of domestic violence in section G, we used only the documented costs of medical and mental health care of the directly-affected victims of domestic violence, and did not include the much larger, but more difficult to quantify, costs of lifelong trauma, lost earnings, and negative economic consequences for children of the victims.⁹

⁸ The estimated cost savings per household from prevention of homelessness was based on the costs and duration of emergency shelter (excluding supportive services) reported in the U.S. Dept. of Housing and Urban Development, "Family Options Study: Short-Term Impacts of Housing and Services Interventions for Homeless Families," 2015, p. 138-139, combined with information about the lowest hotel prices available in Nevada on Travelocity.com, along with housing indices provided by the Council for Community & Economic Research.

⁹ Estimated cost savings were based on data provided in "Cost of Intimate Partner Violence Against Women in the United States," Centers for Disease Control and Prevention, 2003. The costs for medical and mental health care reported by the CDC have been adjusted for inflation and for the cost of living in Nevada (by using the health indices in a Council for Community & Economic Research survey). For more details about the economic impact analysis, see Appendix A.

Accordingly, our findings generally represent the *lowest* reasonable estimates of economic impacts; in reality, the *actual* impacts are likely many times higher than the figures asserted in this report.

Wherever possible, we used figures based on contemporaneous recordkeeping by the legal aid providers included in the study. For example, the study relied heavily on case statistics captured by the computerized case management systems of legal aid providers, compiled according to the conventions and definitions required by their principal funders which are subject to audit by funding entities such as the Legal Services Corporation and the U.S. Department of Justice. These data are as close to *measured* values as can be obtained for a study of this kind.

Where measured data were not available, we used figures produced by the most credible external studies we could find that were based on data collected under circumstances as similar as possible to those existing in Nevada. For example, in estimating the success rates achieved by legal aid programs in advice-only and brief-service cases, we applied the findings of our 2012 study of these kinds of cases among 10 legal aid programs in Pennsylvania.¹⁰ That study was based on a scientific survey of 400 legal aid clients who had been provided with these kinds of legal assistance in the second half of 2011 across Pennsylvania, and was accordingly directly on point for use in the present study.

Although it is not possible to assign a margin of error to the findings of a study based on such a wide array of secondary data, we believe that it is safe to say that with the conservative approach we have applied, the true economic impacts of legal assistance in Nevada are, if anything many times *higher* than those we have presented in this report.

¹⁰ See, “Final Report on the Survey of Clients Provided with Advice or Brief Services by Pennsylvania Legal Aid Programs Funded under the Access to Justice Act,” Pennsylvania IOLTA at <https://www.paiolta.org/wp-content/uploads/2014/05/Report-on-Telephone-Based-Legal-Assistance.pdf>

C. DEMOGRAPHICS

Whom Does Legal Aid Serve in Nevada?

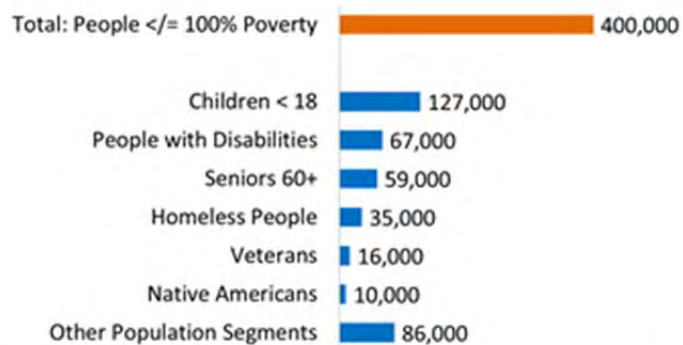


This section presents the findings of our analysis of data from the U.S. Census describing Nevada's low-income population over the period from 2000 through 2016. Exhibit 2 below provides a snapshot of the overall low-income population and seven specific segments of that population in 2016, the latest year for which Census data were available at the time the study was conducted.

Exhibit 2

Legal Aid's Target Population Numbers Between 400,000 and 990,000 Low-Income Nevadans

- **Income eligibility varies**
Criteria are set by legal aid programs & their funders
- **Most conservative estimate 400,000** Nevadans have incomes at or below 100% of the Federal Poverty Line (shown in graph at right)
- **Generally** Eligibility cutoffs range between 100% & 200% of poverty
- **At the high end of this range 990,000** Nevadans have incomes at or below 200% of the Federal Poverty Line



*Based on 2016 Census Figures
NOTE: 100% poverty income cutoff for an individual in 2018 = \$12,140*

Nevada Legal Aid Programs Serve People Whose Incomes Lie between Zero and 200 percent of the Federal Poverty Level.

As indicated in Exhibit 2, the population that is eligible for free legal services covers a broad range numbering 400,000 at the low end living in households with incomes at or below 100 percent of the federal poverty level and 900,000 at the high end having incomes at or below 200 percent of the federal poverty level. In this report we refer to people within this income range (zero to 200 percent of poverty) in this report as “low-income Nevadans.”

This broad range is determined by several factors affecting eligibility for free legal services from Nevada’s five core legal aid programs.

- The income eligibility criteria are set by the boards of directors of the individual programs or their granting organizations.
- The criteria are determined by a combination of many factors and, in particular, the funding priorities and regulations of the funding sources from which the programs derive their income, such as the Legal Services Corporation, other federal programs (for example, programs funded by the Administration on Aging and the Department of Justice), the Nevada IOLTA program, and a host of other national, state, and local funders.
- The criteria for eligibility also are driven by board policies aimed at ensuring that resources are directed at the most compelling legal needs of the low-income communities served by each program.

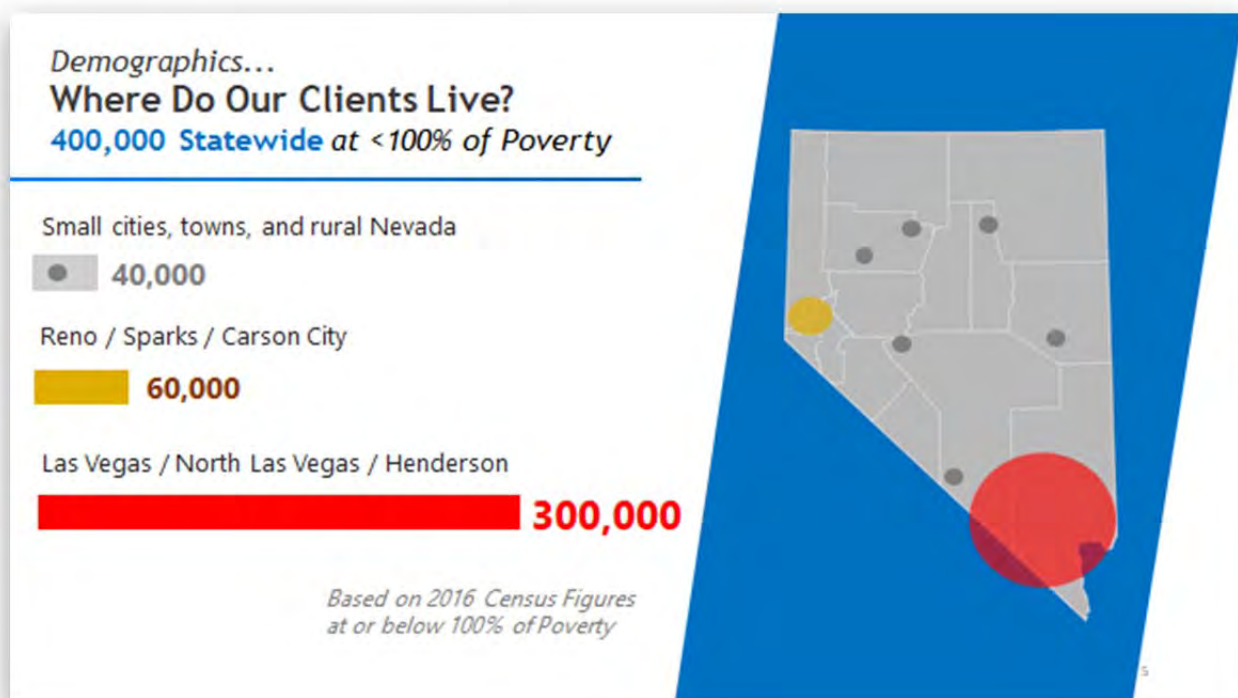
The income criteria vary from program to program, and even by projects within programs, but generally speaking, the eligible population encompasses those living on incomes ranging from zero to up to 200 percent of the Federal Poverty Level (FPL). Nevada Legal Services, for example, generally applies an income cutoff figure of 125 percent of the FPL, a criterion that is dictated by its principal funder, the federal Legal Services Corporation (LSC). NLS can also accept applicants at higher income levels who qualify under other funding programs such as the federal Administration on Aging.

As another example, the Legal Aid Center of Southern Nevada, which is not an LSC grantee, applies a general eligibility cutoff of 50 percent of the median income corresponding to the applicant’s household size. This is approximately equivalent to 175 percent of the Federal Poverty Level.

The Vast Majority of Low-Income Nevadans Lives in the Two Major Urbanized Areas of the State.

Exhibit 3 below shows the geographic distribution of the population whose incomes lie at or below the “poverty line” – 100 percent of the Federal Poverty Level. As indicated in Exhibit 3, 75 percent (300,000 people) of Nevadans in poverty live in the Las Vegas urbanized area. Another 15 percent (60,000 people) live in the Reno/Sparks/Carson City urbanized area. The remaining 10 percent (40,000 people) is scattered across the vast rural stretches of the state, with most living in small cities and towns such as Elko, Winnemucca, and Yerington in the north and Pahrump and Laughlin in the south.

Exhibit 3

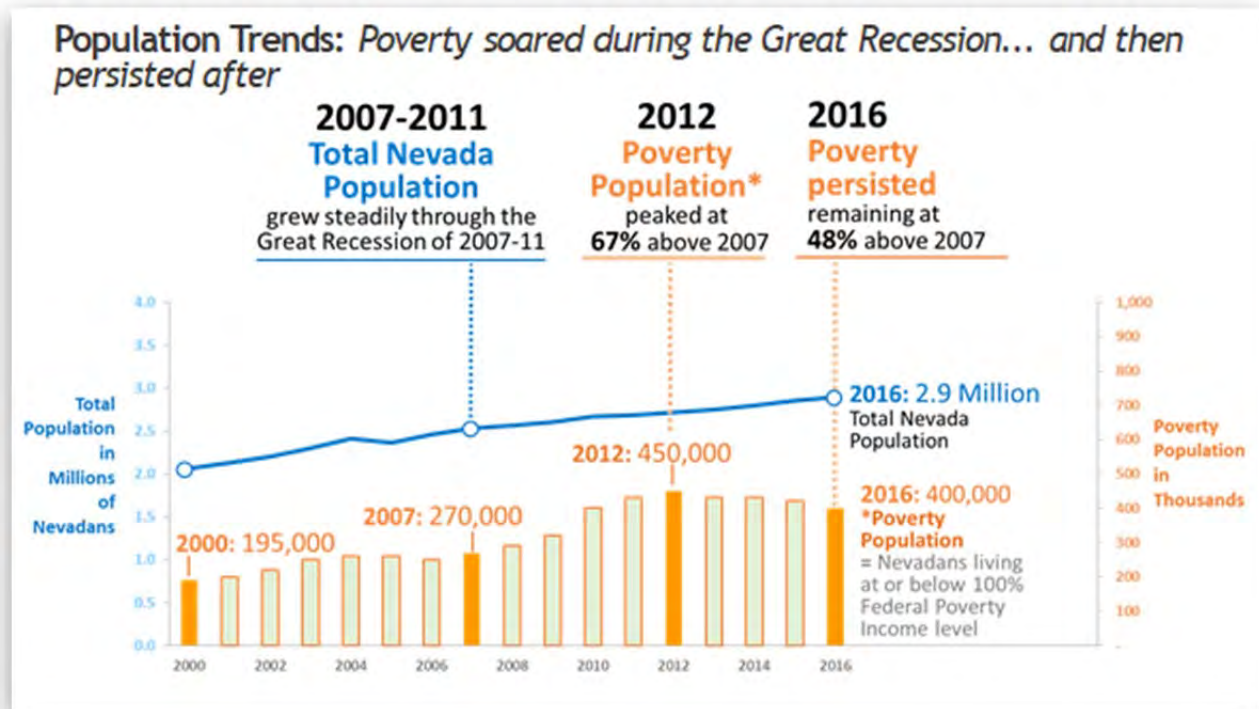


Population Change, 2008-2016: Poverty Soared During the Great Recession...Then Persisted.

Exhibit 4 on the next page shows the trends in Nevada’s overall population and its poverty population over the time span between 2000 and 2016. As the trend lines in the graph indicate, the overall population grew at a steady pace throughout this period while the poverty population surged by 67 percent during the Great Recession of 2008-11 rising to a peak of 450,000 in 2012. At its peak, the poverty population amounted to 16 percent of Nevada’s overall population.

After 2012 the poverty rate declined gradually as the economy improved, but the recovery was slow and incomplete. By 2016, the number of Nevadans in poverty still remained at 400,000, some 48 percent higher than it had been in 2007 after surging three times faster than the overall population during that span.

Exhibit 4

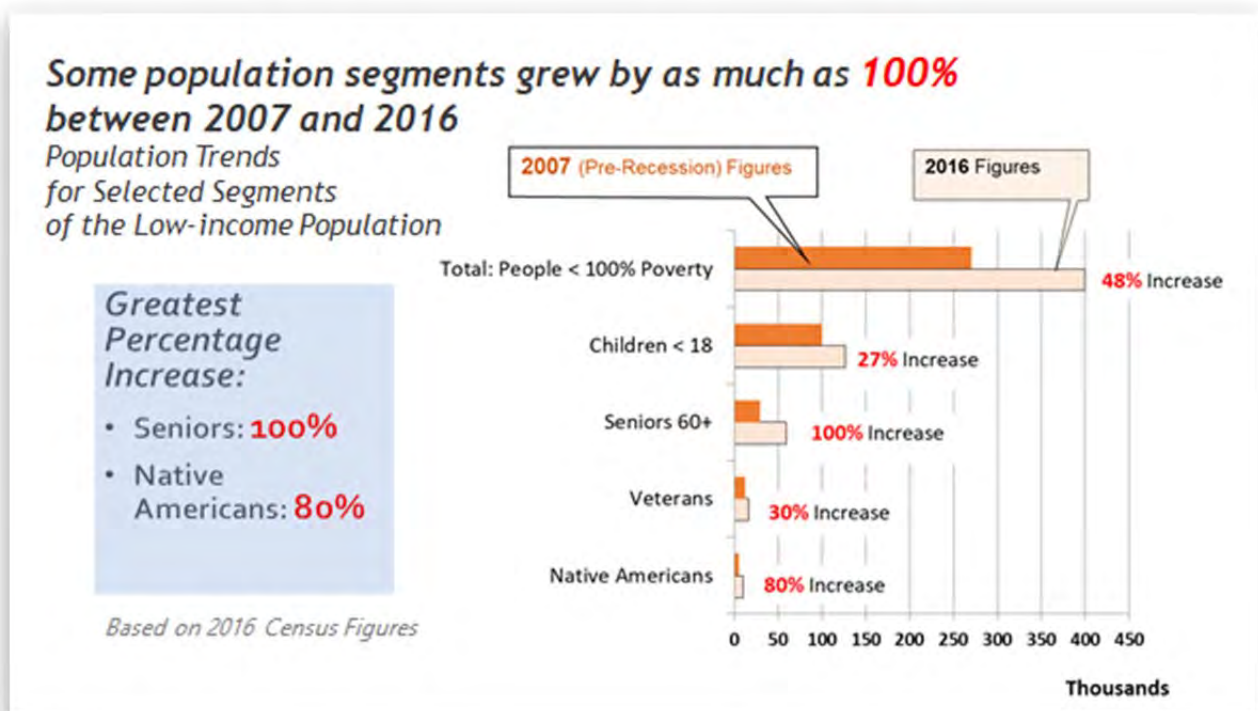


Some Poverty Population Segments Grew By As Much As 100% between 2007 and 2016.

Exhibit 5 on the next page shows the change that occurred between 2007 and 2016 in the overall poverty population and in four segments that experienced the greatest growth during that period. It shows that:

1. **The overall poverty population grew by 48 percent** from 270,000 people in 2007 to 400,000 in 2016 at 100 percent of the poverty rate.
2. **Seniors ages 60 and above** in poverty showed the greatest percentage growth at 100 percent, increasing from 29,000 people in 2007 to 59,000 in 2016.
3. **Native Americans** grew in poverty population by 80 percent from 5,500 people in 2007 to 9,800 in 2016.
4. **The number of children in poverty** grew by 27 percent from 100,000 children in 2007 to 127,000 in 2016.

Exhibit 5



Poverty Grips Nevadans Statewide

Whether young or old, urban or rural, Nevadans feel the grip of poverty and its threat to their ability to provide food, clothing, and shelter to their families. Most Nevadans live in and around Las Vegas, so that is where most of the poverty is found, but rural Nevadans statewide also suffer the consequences of living on a low income. In 2016, 400,000 Nevadans lived in poverty, nearly 50 percent higher than a decade earlier, after surging three times faster than the state's fast-growing overall population during that time.

D. PROFILE

Nevada's Five Core Legal Aid Providers

➤ OVERVIEW

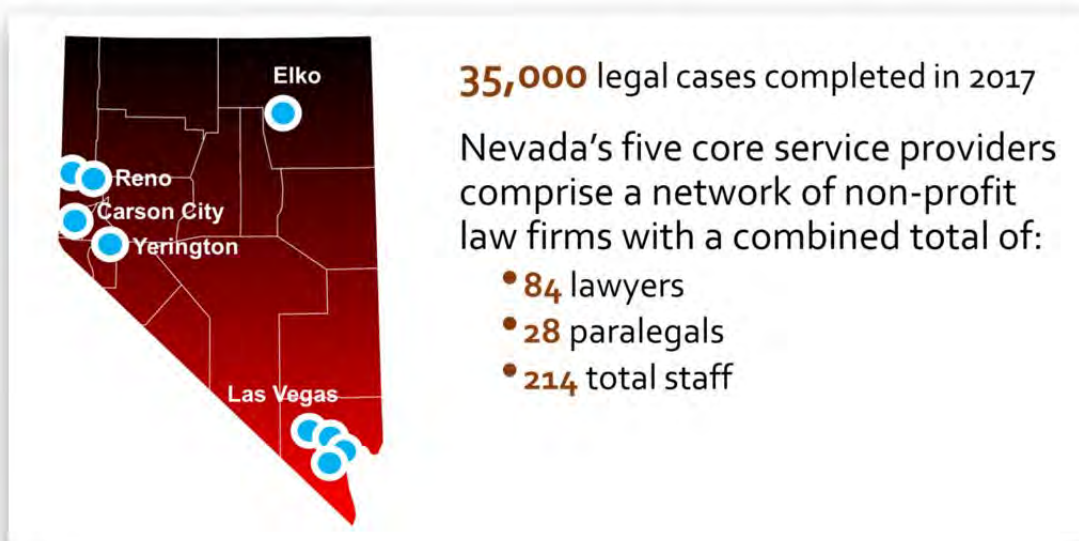
➤ PROVIDERS

- Legal Aid Center of Southern Nevada
- Nevada Legal Services
- Southern Nevada Senior Law Program
- Volunteer Attorneys for Rural Nevadans
- Washoe Legal Services



OVERVIEW: Legal Aid Provides Access to Our Civil Justice System for People Who Have Nowhere Else to Turn.

This section provides a brief overview of each of the five core legal aid providers that collectively provide free legal aid to Nevada's low-income population. (See Appendix B for a snapshot of Nevada's smaller, specialized providers of legal aid).



As the graphic above indicates, the five programs collectively employ 214 paid staff, including 84 lawyers, and 28 paralegals.

This may seem like a lot of lawyers, but to put it in perspective:

- Those **84** lawyers serve between **400,000 and 990,000** low-income Nevadans.¹¹

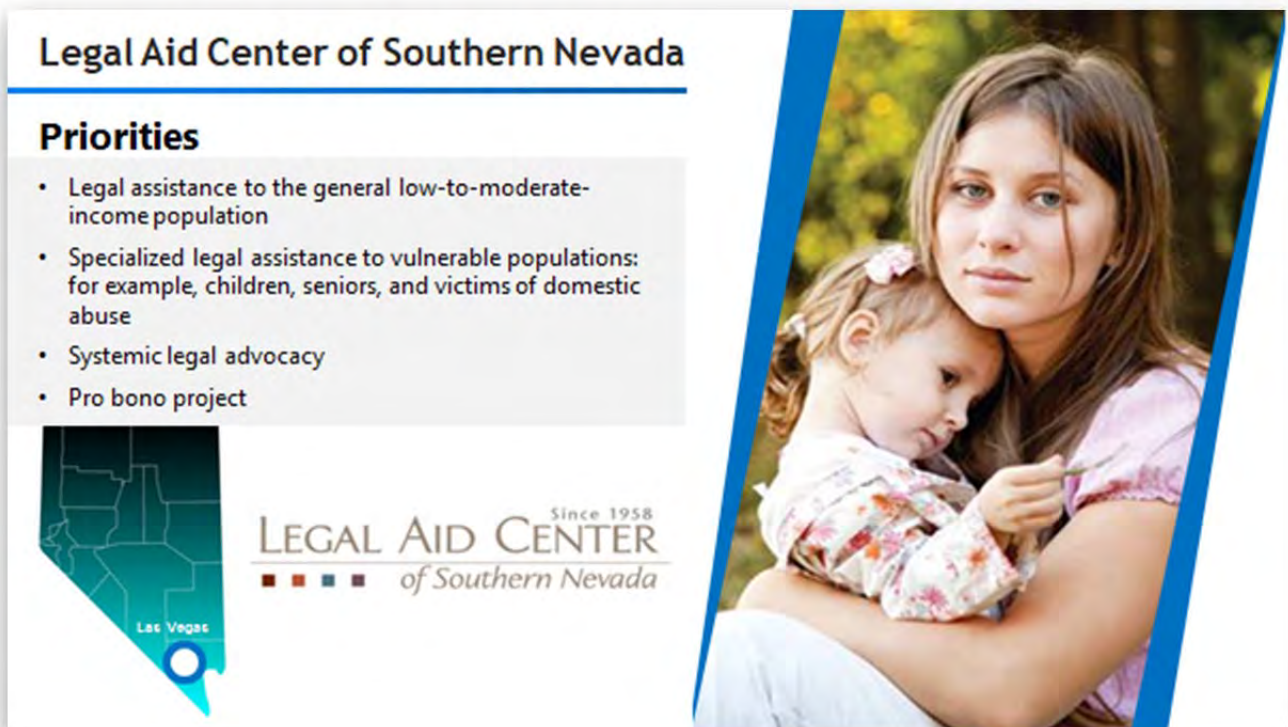
¹¹ See Exhibit 2 for these population figures.

- At the low end of that range, that is about **one lawyer for every 4,800 people**.¹²
- That means **the providers must turn away thousands of people each year** for lack of resources.
- For those living above the poverty line, there is **one lawyer for every 400 people** in Nevada.
- Many of these lawyers are funded under grants specifically targeting particular populations or issues and cannot be diverted to other needs without changing the terms of those grants.

The Legal Aid Center of Southern Nevada Serves the General Low-to-Moderate Income Population in Las Vegas and Surrounding Areas.

- **Mission:** The preservation of access to justice and the provision of quality legal counsel, advice and representation for individuals who are unable to protect their rights because they cannot afford an attorney.
- **Staffing:** With 45 lawyers and a total staff of 115, The Legal Aid Center of Southern Nevada is the largest legal aid program in Nevada.
- **Its total funding in 2016:** \$9.5 million.

Exhibit 6



¹² In addition to the 84 legal aid lawyers, the pro bono contributions of private lawyers participating in pro bono programs operated by the legal aid providers provide the equivalent of approximately 15 additional lawyers serving low-income Nevadans – still only 1.2 lawyers for every 4,800 people living below the poverty line. See footnote 7 on page 3 for details.

Nevada Legal Services Is Nevada's Federally Funded General Legal Aid Provider That Serves All 17 Nevada Counties.

- **Mission:** To strengthen the community by ensuring fairness and providing equal access to justice for low-income Nevadans.
- **Staffing:** NLS has 24 lawyers, 12 paralegals, and a total staff of 46.
- **Funding in 2016:** \$4.5 million.

Exhibit 7

Nevada Legal Services

Priorities

- Legal assistance to the general low-income population
- Serves all 17 of Nevada's counties
- 6 specialized law units – for example, Community Development, Consumer Action, and Indian Law

Local and national recognition
from entities including the Legal Services Corporation, American Bar Association, HUD, and U.S.VETS





21

The Southern Nevada Senior Law Program Provides Free Legal Assistance to Southern Nevada's Elderly Population.

- **Mission:** To provide free, quality legal services to residents of Clark County who are 60 years of age and older. The cornerstone of our mission is our clients' honor, dignity, and the free exercise of individual initiative in planning and managing their own lives.
- **Staffing:** The program has 6 lawyers and a total staff of 13.
- **Funding in 2016:** \$1.05 million.

Exhibit 8

Southern Nevada Senior Law Program

Priorities

- Legal assistance to seniors age 60 and over
- Services provided in SNSLP office and in homes, hospices, and other settings
- Specialized law programs: Consumer Assistance, Estate Planning, and Healthcare
- Community legal education





Volunteer Attorneys for Rural Nevadans

- **Mission:** To provide programs that assist low-income residents of Nevada's 15 rural counties in accessing the civil legal system, including women, children and immigrant victims of domestic violence and sexual assault.
- **Staffing:** The program has 4 lawyers and a total staff of 9.
- **Total funding in 2016:** \$0.6 million.

Exhibit 9



The slide features a title bar at the top with the text "Volunteer Attorneys for Rural Nevadans". Below the title, on the left, is a section titled "Priorities" with a bulleted list: "Pro bono legal assistance for people with uncontested civil matters", "Domestic violence victim protection", and "Immigration integration assistance to immigrant victims of domestic violence". To the right of the priorities is a photograph of a woman with dark hair holding a young child with curly hair who is eating a piece of fruit. Below the priorities list is a map of Nevada with county boundaries, and a blue dot marks "Carson City". To the right of the map is the logo for "v|a|r|n", which includes a stylized blue leaf icon above the text. The slide is framed by a blue diagonal line on the right side.

Volunteer Attorneys for Rural Nevadans

Priorities

- Pro bono legal assistance for people with uncontested civil matters
- Domestic violence victim protection
- Immigration integration assistance to immigrant victims of domestic violence

Carson City

v|a|r|n

Washoe Legal Services

- **Mission:** To provide Northern Nevada's vulnerable populations access to justice, regardless of their ability to pay, to protect their rights, safety and family stability.
- **Staffing:** The program has 13 lawyers and a total staff of 32.
- **Funding in 2016:** \$2.1 million.

Exhibit 10

Washoe Legal Services

Priorities

- Children in foster care
- Housing and consumer protection
- Senior law and adult guardianship
- Legal assistance for domestic violence victims in custody, divorce, and protective order proceedings
- Immigration legal assistance
- Legal clinics for assisting self-represented litigants





24

Nevada's Legal Aid Programs Delivered Crucial Legal Assistance to Thousands of Low-Income Clients and Their Families in 2017.

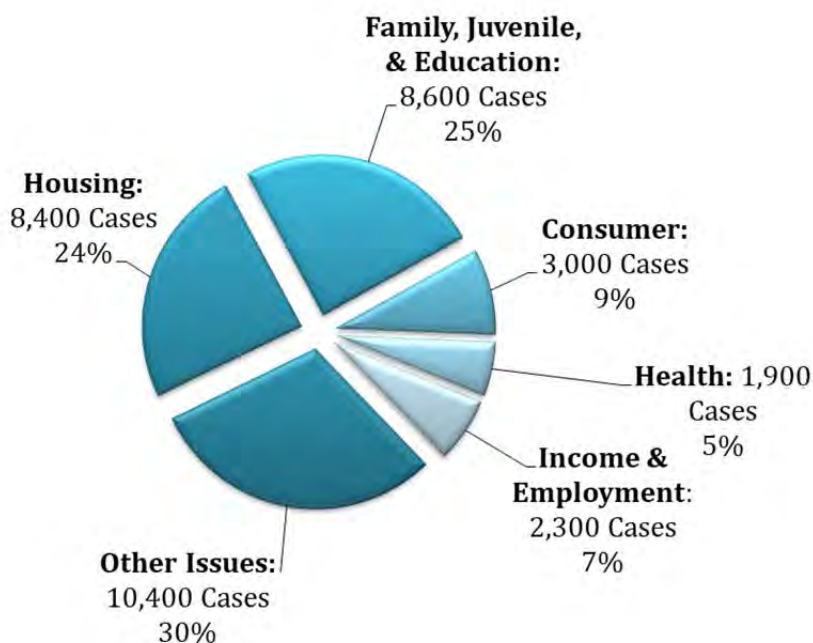
Nevada legal aid programs help low-income Nevadans escape abusive partners, stop wrongful foreclosures, and defend against fraudulent debt collectors. In 2017, the five Nevada legal aid providers completed 34,600 cases for low-income clients, thereby enabling them to address critical legal issues directly affecting their families, homes, incomes, jobs, and access to vital services such as health care and utilities.¹³

As shown in Exhibit 11 below, one out of four cases addressed family problems, such as child custody, divorce, support, and child advocacy, many of them aimed at ending domestic violence or the abuse and neglect of children. Housing problems, including prevention of eviction and foreclosure, accounted for another one out of four cases. “Other Issues” in the graph consist of a wide range of problems including wills and estates (5,500 cases), advance directives (2,000 cases), immigration and naturalization matters (750 cases), tribal matters (600 cases), and mental health issues (350 cases).

Exhibit 11

Individualized Legal Assistance Was Provided in 34,600 Cases for Low-Income Nevadans and Their Families in 2017

Breakdown by Legal Problem Area

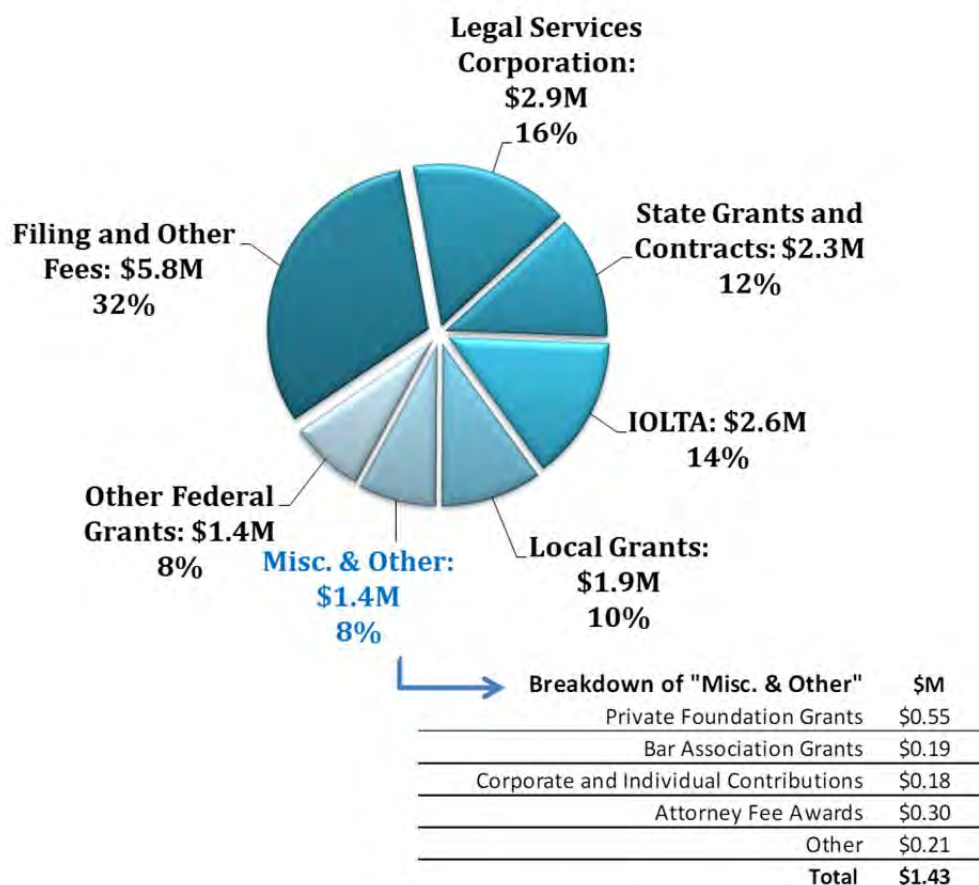


¹³ In this report, the providers' collective output of "individualized legal assistance" was measured in "closed cases", a unit of service that is widely accepted as a de facto national standard applied by the federal Legal Services Corporation (LSC), the nation's largest funder of legal aid, as well as by many state IOLTA programs. A "closed case" is defined as a situation in which the following criteria have been met: (a) an applicant has been determined to meet the eligibility criteria of the legal aid provider, (b) an individualized diagnosis of the applicant's legal problem has been made by a lawyer or trained paralegal, (c) a legal service has been provided, such as advice & counsel, limited legal services, or extended legal representation, and (d) activity on the case has been completed. The figures above for closed cases do not include other services where those criteria have not been met, such as community legal education or web-based delivery of legal forms or information.

Total Funding for Nevada's Civil Legal Services Providers Was \$18.3 Million from All Sources in 2016.

As indicated by Exhibit 12 below, 84 percent of the total funding was provided by five sources: filing fees, LSC, state grants and contracts, IOLTA, and local grants. The remainder was provided by a wide array of smaller sources, including federal grants other than LSC and various provider and bar fundraising events. (See "Breakdown of 'Misc. & Other'" in the exhibit.)

Exhibit 12 The Five Core Legal Aid Providers Received \$18.3 Million in Funding in 2016



In Addition to the Five Core Providers, 14 Smaller Organizations Help Low-Income Nevadans to Access the Justice System

Exhibit 13 provides a summary of organizations in addition to the five core legal aid providers described above that provide legal information and assistance to low-income Nevadans.¹⁴ In some cases, they are staffed entirely by volunteers, with no budget for legal assistance; while in other cases, they are small legal units imbedded in larger, multi-service organizations, such as the units within Catholic Charities that provide legal assistance to immigrants.

Several of the organizations are CASA (court appointed special advocate) programs that provide input to judges on “432b cases” for children removed from homes due to abuse or neglect. Others provide help to domestic violence victims in obtaining legal Orders of Protection as part of holistic support that also includes assistance with housing, employment, medical care and other needs.

Some of the organizations, such as the court-based self-help centers in Reno and Las Vegas, serve all Nevadans regardless of income, but a large percentage of their clients have low incomes.

Most of these organizations are close partners with the core legal aid providers, providing cross-referrals of clients, outreach, training, technical assistance, and in some cases, formal collaboration on funded projects. In all cases they are vital parts of the network of organizations working across Nevada to address the legal needs described in the next section of this report.

¹⁴ The summary in Exhibit 13 is a compilation of information provided by the organizations in response to a request from the Nevada Supreme Court Access to Justice Commission, supplemented by information obtained from the organizations’ websites.

Exhibit 13

Summary of Organizations in Nevada in Addition to the Five Core Legal Aid Providers that Provide Legal Assistance to Low-Income Nevadans

Also See Appendix B for Further Information

Organization	Type of Program	Offices	Legal Aid Budget	Civil Legal Aid Staff		Number Served Annually Information & Guidance	Legal Cases
				Attorneys	Paralegals		
Carson City CASA	CASA (3)	Carson City		0	1		100
Catholic Charities of Northern Nevada – Immigration Assistance Program	Legal aid to immigrants	Reno	\$111,000	0	2.3		800
Catholic Charities of Southern Nevada Immigration Services	Low-cost immigration legal aid	Las Vegas	\$218,000	0	4	NA (Not Available)	700
Civil Law Self-Help Center / Clark County	Pro Se Assistance (4)	Las Vegas	\$420,000	1	5	52,000 (5)	
Domestic Violence Resource Center	Assistance to domestic violence victims	Reno	NA	NA	NA	NA	
Family Law Self Help Center	Pro Se Assistance (4)	Las Vegas	\$420,000	1	5	49,500	
Lyon County CASA	CASA (3)	Yerington	NA	0	0	NA	
Nevada Disability Advocacy & Law Center.	Legal aid to Nevadans with disabilities	Las Vegas	\$1.48 million	4	7		1,600
Nevada Rural Counties RSVP Program	Legal aid to seniors	Carson City & Other Locations (1)	\$61,000	1	0	1,000	
Northeastern Nevada CASA	CASA (3)	Elko	NA	0	0		2,000
Pioneer Territory CASA	CASA (3)	Pahrump	NA	0	0	NA	
S.A.F.E. House	Pro se assistance to domestic violence victims	Henderson	NA	0	4.5	NA	
Safe Nest: Temporary Assistance for Domestic Crisis	Pro se assistance to domestic violence victims	Las Vegas & Other Locations (1)	\$456,000	0	8	9,300	
Second Judicial District Court Self Help Center	Pro Se Assistance (4)	Reno	NA			12,900	
UNLV Boyd School of Law Thomas & Mack Legal Clinic	Legal aid to immigrants	Las Vegas	NA	5	7		200
Washoe County Law Library	Lawyer in the Library	Reno	NA			1,200	

NOTES

(1) Other locations: Fallon, Elko, Winnemucca, Caliente, Dayton, Fernley, Hawthorne, Schurz, Gabbs, Pahrump, Tonopah, Sparks, & Ely

(2) Counseling offices in Mesquite and Boulder City. Confidential shelter location in Las Vegas

(3) "CASA" = Court Appointed Special Advocate (CASA) programs. Provide input to judges on 432b cases - children removed from homes due to abuse or neglect

(4) "Pro Se Assistance" = Information, guidance, and resources to self-represented litigants in navigating court system without lawyers

(5) The figures for the Civil Law Self-Help Center in Clark County do not include web site visits, of which there were more than 1 million in 2017, 76,300 of which were from visitors in Las Vegas. The remainder originated from other states and countries.

E. LEGAL NEEDS

Findings Regarding the Legal Problems of Low-Income Nevadans



This section presents the study’s findings regarding the incidence and types of legal problems experienced by low-income Nevadans. It addresses the following questions:

- How did we measure legal need?
- How many legal problems occur among low-income Nevadans?
- Where do the problems occur? How do different regions of the state compare with respect to incidence of legal problems?
- What specific legal issues are involved, such as denial of public benefits, problems with child support, or illegal practices of debt collectors?
- How do legal needs differ among specific segments of the low-income population such as seniors, veterans, and people with disabilities?

How Did We Measure Legal Need?

As indicated in section B, a centerpiece of the study was a statewide sample survey of Nevada’s low-income population, conducted by the legal aid providers with technical assistance from The Resource. A total of 1,050 completed questionnaires were collected over an eight-week period in late October – December 2017.

The data were collected by legal aid staff and volunteers – law students and others – recruited and supervised by the five core legal aid providers and the Nevada Access to Justice Commission. These survey workers interviewed respondents face-to-face in places where low-income people gather, such as “dollar” stores, laundromats, bus transfer stations, and human services offices in communities around the state. In some situations, legal aid staff or volunteers supervised the application of a self-administered version of the questionnaire in waiting rooms of partner agencies such as senior centers and human services agencies.



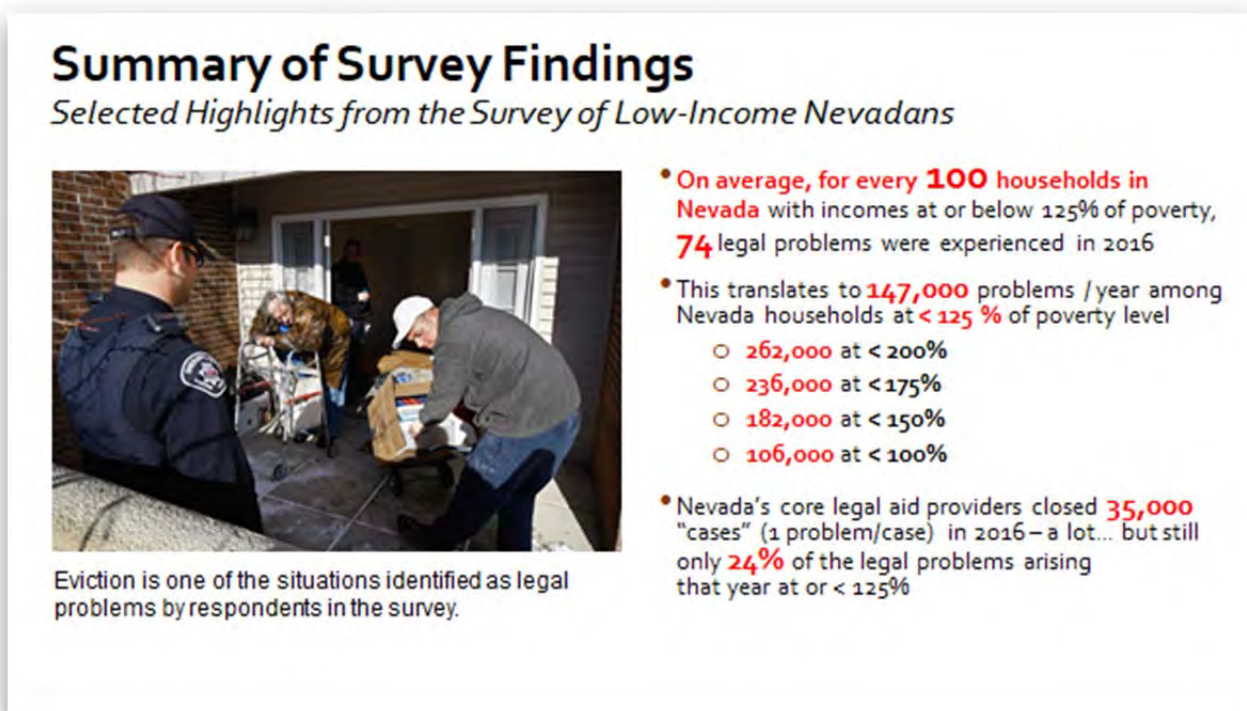
Appendix C contains a copy of the questionnaire used in the survey. Appendix D provides a summary of the sampling scheme and other details of the survey process.

How Many Legal Problems Occur Among Low-Income Nevadans?

Exhibit 14 below provides a summary of the survey's findings regarding the incidence of legal problems among Nevada's low-income households. The survey revealed that legal problems occur at an average rate of approximately 74 legal problems per year per 100 low-income households.

Exhibit 14 shows the numbers of legal problems that occur among low-income Nevada households that fall within different income ranges. For example, households at or below 125 percent of the Federal Poverty Level experience an estimated 147,000 legal problems per year.

Exhibit 14



The Incidence of Legal Problems is Unevenly Distributed. Not all respondents indicated their households had experienced legal problems during the 3-year period covered by the survey. Nine percent of sampled households experienced *no* legal problems during the period.

The 74 problems-per-100 households figure was an average arising from the fact that many legal problems arise in clusters and some of the respondents reported having more than one legal problem. For example, a situation involving domestic violence can give rise to a need for a protective order against the abuser (which counts as one legal problem), as well as an order of custody for any children involved and a request for child support (which are treated as a second legal problem). Later, the client might also seek legal help in negotiation with creditors over debts (a third legal problem).

When one accounts for the incidence of multiple legal problems, the average number of legal problems experienced per year by those who said “yes” to the survey question about legal problems was the figure reported above – 74 per year per 100 households.

Often People Don’t Know That a Lawyer Could Help. Approximately 69 percent of those who were interviewed initially answered “No” when asked if anyone in their household had experienced a civil legal problem during the period covered by the survey. However a large majority (70 percent) of those later answered “Yes” in response to a list of questions about whether or not they had encountered specific situations wherein having access to legal advice or representation could have made the difference between resolving a legal problem by exercising one’s legal rights versus inadvertently having a simple matter grow into a crisis threatening one’s basic shelter, income, or access to other basic survival needs.

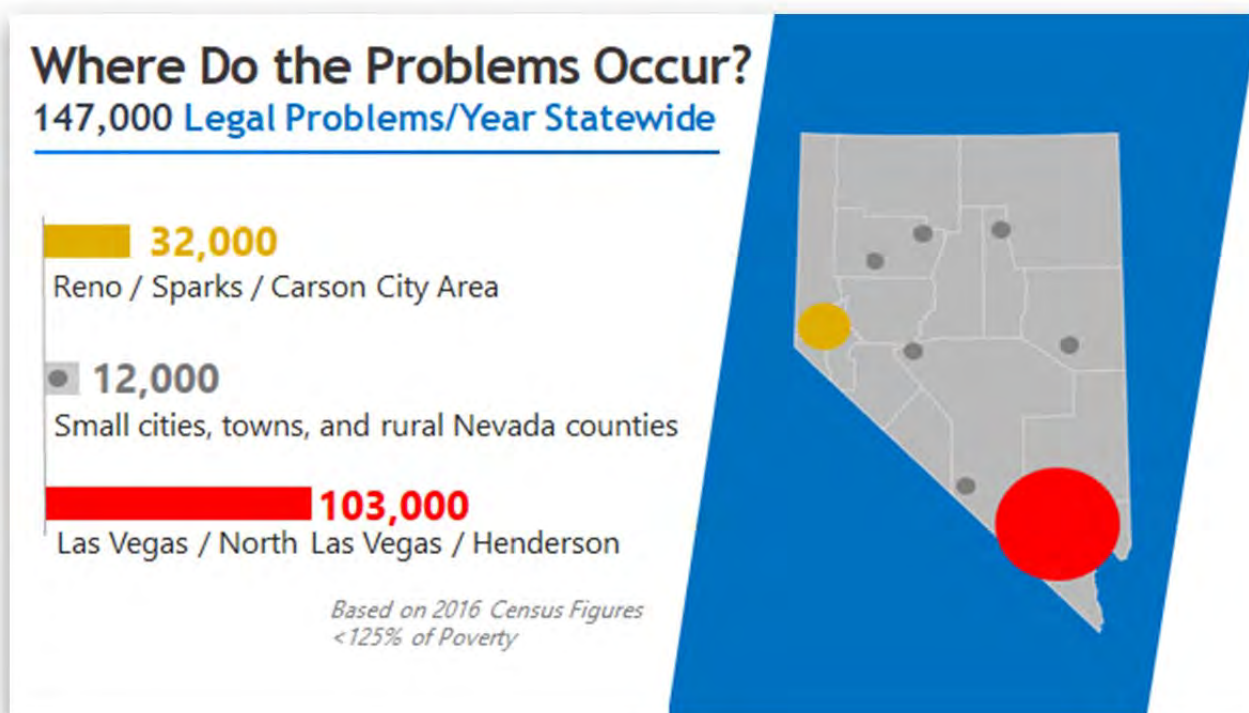
In this study, when a respondent answered “Yes” when asked whether any one in their household had experienced situations like this, we counted that answer as a legal problem.¹⁵

Where Do the Problems Occur?

Exhibit 15 shows the geographic distribution of the 147,000 legal problems per year estimated among residents at or less than 125 percent of the poverty level.

The population centers of Las Vegas and Reno/Sparks/Carson City account for 92 percent of these problems. Eight percent arise in the small cities and towns and thinly populated areas outside the major urban centers of the state.

Exhibit 15



¹⁵ See Appendix C for a copy of the questionnaire used in the survey. Question 13 provided a listing of the situations that were counted as legal problems in the survey.

What Types of Legal Problems Do Low-Income Nevadans Have?

Exhibit 16 below shows a breakdown of the 147,000 legal problems by major legal issue area. Issues within the Income and Employment area topped the list, followed by matters in the Health, Family/Foster Children/Education, and Consumer areas. Detailed breakdowns of the legal problems that make up these broad issue areas are provided in Appendix E.

Exhibit 16



Incidence of Legal Problems by Population Segment

Exhibit 17 displays the 10 most frequent legal problems for each of the population segments that were included in the survey sample. Detailed incidence data are provided in Appendix E for each of the population segments shown in Exhibit 17.

Exhibit 17

Legal Problems	(✓) 10 Most Frequent Legal Problems in Households, by Population Segment ¹⁶									
	Overall Low-Income Population	Seniors Ages 60+	Households with Disabled	Households with Veterans	Native Americans	Immigrants	LGBTQ	Households with Children <18	Homeless	DV Victims
INCOME AND EMPLOYMENT										
Food Stamps	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Disability Benefits	✓	✓	✓	✓	✓		✓		✓	✓
Supplemental Security Income	✓	✓	✓		✓				✓	✓
Unemployment Compensation						✓	✓			
Veterans Benefits				✓						
Cash Assistance									✓	
HEALTH										
Health Insurance	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Medicaid	✓	✓	✓	✓	✓		✓	✓		✓
Medical Expenses	✓	✓	✓	✓	✓			✓		
Medicare		✓	✓							
Prescription Drug Benefits		✓	✓							
Denial of Medical Care							✓			
FAMILY, JUVENILE & EDUCATION										
Child Support	✓			✓	✓	✓		✓	✓	✓
Domestic Violence	✓			✓		✓	✓	✓	✓	✓
Divorce	✓			✓	✓	✓	✓	✓		✓
Custody	✓				✓	✓		✓	✓	✓
CONSUMER										
Telephone, Mail, or Internet Scams		✓	✓							
Utility Shutoff			✓			✓		✓		
Car Repair								✓		
Payday/Title Loan						✓				
HOUSING										
Eviction/lock-out from private rental housing				✓					✓	✓
Inadequate Income to Make Rent Payments							✓		✓	
OTHER ISSUES										
Criminal record as a barrier to employment					✓					
Immigration/naturalization/Legal status						✓				
Wills, advance directives, legal/medical documents		✓					✓			

The following are just a few of the many relationships revealed by the data in Exhibit 17 and Appendix E:

- **Food stamp issues** were among the top three legal problems reported by all segments of the population.
- **Problems involving payment for medical expenses**, including difficulties with private health insurance and Medicaid were also among the highest-incidence legal problems across all population segments.
- **Family issues** were high on the list for most, but not all, population segments. The most frequent issues included child support, domestic violence, divorce, and custody. Only among households containing seniors and people with disabilities, were family issues *not* among the 10 most frequent legal problems.
- **Seniors and people with disabilities had very similar “top 10” lists of legal problems.** Both segments reported frequent problems with Medicare benefits, prescription drug benefits, and victimization by scammers via phone, mail, or Internet, and had none of the “top 10” *family* problems reported by other population segments.

A careful examination of the data in Exhibit 17 and Appendix E will reveal important patterns of interest to legal aid providers and the Access to Justice Commission regarding the unique needs of specific population segments.

The disparity between the numbers of legal problems that arise in the low-income population and the numbers of problems for which people are able to get legal help – the “Justice Barrier” – is discussed in the next section of this report.

F. The JUSTICE BARRIER in Nevada

- The Disparity Between Need and Capacity
- Justice Barrier by Issue
- Where People Go When They Have a Legal Problem
- Justice Barrier by Region



This section presents the study's findings regarding the "Justice Barrier" – the disparity between the legal need and the capacity of Nevada's legal aid providers to address it.

This disparity prevents people without the means to hire lawyers from participating in our legal system on a level playing field with people such as landlords and creditors who have lawyers to represent them. As outlined later in this report (sections H, I, and J), the Justice Barrier is a problem that can be *solved* on behalf of many of those who are facing it through a combination of awareness, funding, collaboration, creativity, and public support generated through the strategic efforts of the legal aid community and its partners.

The findings reported in this section address the following questions:

- How high is the "Justice Barrier?"
- Where do people go when they have a legal problem? What are the causes of the obstacles they face in getting the legal help they need?
- How does the "Justice Barrier" vary by region of the state?
- How great is the disparity between need and capacity for different types of legal problems experienced by low-income people?
- What are the implications of the Justice Barrier" for the families and individuals involved?

How High is the “Justice Barrier?”

One of the key findings of the survey was the fact that at least 147,000 legal problems per year are experienced by very low-income Nevadans – those whose incomes fall at or below 125 percent of the Federal Poverty Level.¹⁷

In 2017, only 34,600 of those problems were addressed by the cases completed for clients of Nevada’s five core legal aid providers. In Exhibit 18, we apply that figure – 34,600 – as approximate measure of the annual capacity of Nevada’s legal aid system, finding that the disparity between need and capacity – the “Justice Barrier” – is 112,000 legal problems per year – i.e., 76 percent of the total need.

Exhibit 18

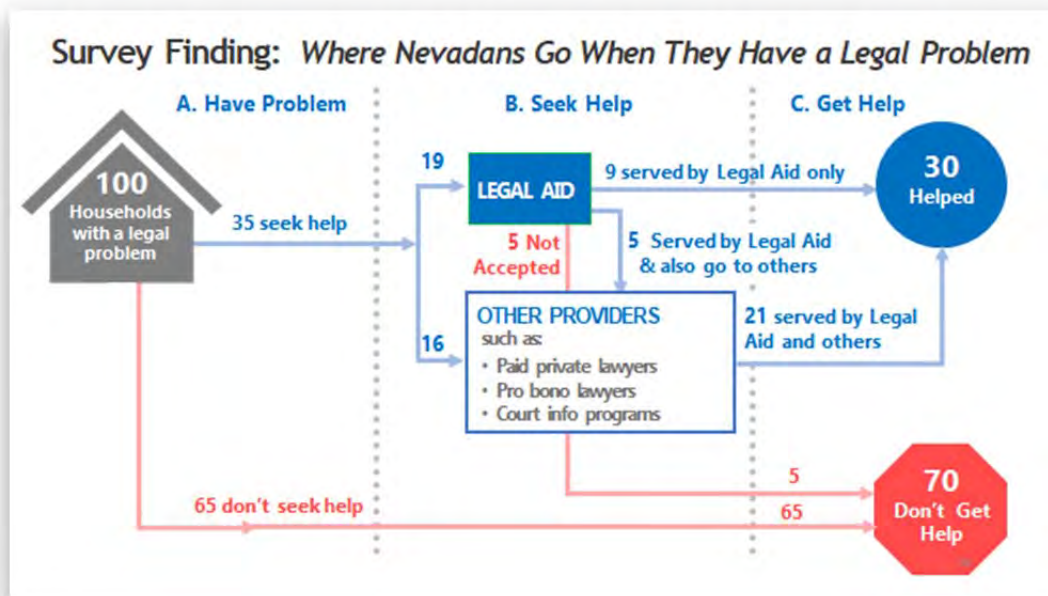


Where Do People Go When They Have a Legal Problem?

The survey provided data that enabled us to explore the question of whether and from what sources people sought legal help when they encountered legal problems. Exhibit 19 shows the result of that analysis as a map indicating how many people out of every 100 who experience a legal problem take various paths in seeking (or not seeking) legal help, according to the responses from the people interviewed in the survey.

¹⁷ This is an extremely conservative estimate. If one takes into account those whose incomes are slightly higher – but still unable to afford to hire a lawyer for help with a legal crisis – the number goes much higher. For example, families with incomes up to 200 percent of the Federal Poverty Level faced 262,000 legal problems per year. Using that as the measure of legal need, we find that the disparity between need and capacity is 227,000 problems per year; or 87 percent.

Exhibit 19



As shown in the Exhibit 19, 35 out of every 100 respondents who had a legal problem sought legal help in addressing it. Two-thirds (65 out of every 100) did *not* seek legal help – and, as a result, they did not get it.

Of the 35 who sought help, approximately half (19) applied to legal aid for assistance. Of those, five applicants were not accepted as clients, presumably because they were found ineligible or had problems that fell outside the program’s priorities. The remainder (14) of the applicants was accepted for assistance and received legal help.

The 16 respondents who sought help from other sources received it from one or more of the following: paid private lawyers, other private lawyers who helped them *pro bono*, and court-based legal assistance programs such as the self-help centers operated by courts and legal aid in Clark and Washoe counties.

Many do not seek help because they don’t know that free legal aid is available to them.

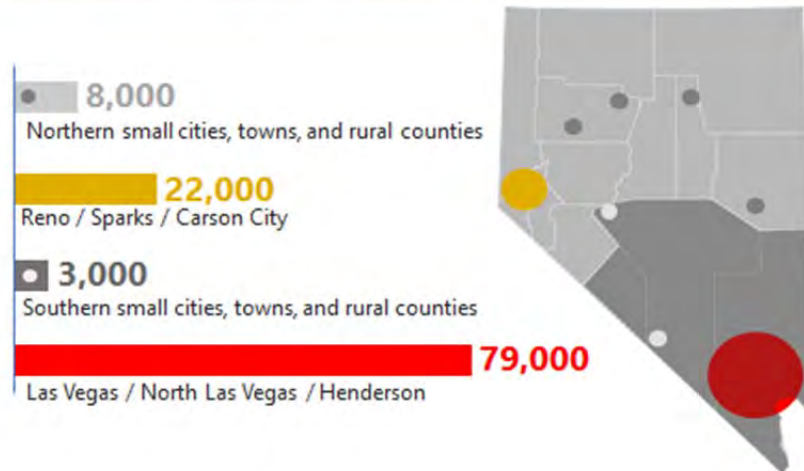
Only 41 percent of those interviewed were aware that low-income people may be eligible for “legal aid” from a program that provides free advice and representation from lawyers.

How Does the “Justice Barrier” Vary by Region of the State?

Exhibit 20 shows the geographic distribution of the estimated 112,000 unmet legal needs revealed by the survey. This information was produced by comparing the numbers of legal needs reported by survey respondents who live in different regions of the state with the numbers of legal cases closed by legal aid providers in those regions. In overall numbers, the unmet legal needs are by far the greatest in the relatively dense population centers of Las Vegas and Reno/Sparks/Carson City; 11,000 unmet needs (approximately 10 percent of the total) occur in the small cities, towns and rural counties that make up most of the state – 8,000 of those in the northern part of the state and 3,000 in the southern part (see Exhibit 20).

Exhibit 20

Justice Barrier in Nevada by REGION 112,000 Problems for Which People Do Not Get Help

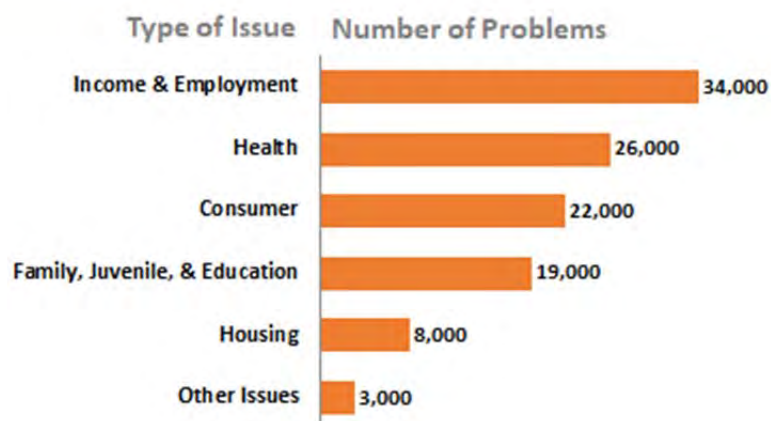


How Great is the Disparity between Need and Capacity for Different Types of Legal Problems Experienced by Low-Income People?

Exhibit 21 provides a breakdown of the disparity between need and capacity for each of the six broad categories of legal problems outlined in section E.

Exhibit 21

Justice Barrier in Nevada by LEGAL ISSUE 112,000 Problems for Which People Do NOT Get Help



The problem area showing the greatest disparity between legal need and legal aid capacity was Income and Employment. The lowest disparity was seen for the Housing area, for which legal aid programs have raised and deployed significant resources to address legal problems such as eviction and foreclosure that left unaddressed can impose especially dire consequences on the families that are affected.

Breakdowns of the Justice Barrier by specific legal problems: The study produced additional information regarding the size of the Justice Barrier for specific legal problems comprising each of the broad problem areas shown on the previous page. Exhibit 22 provides an example – in this case, the breakdown of the Justice Barrier by the 34,000 unmet legal problems comprising the Income and Employment area. The breakdowns of the Justice Barrier for other detailed legal problems are provided in Appendix F.

Exhibit 22

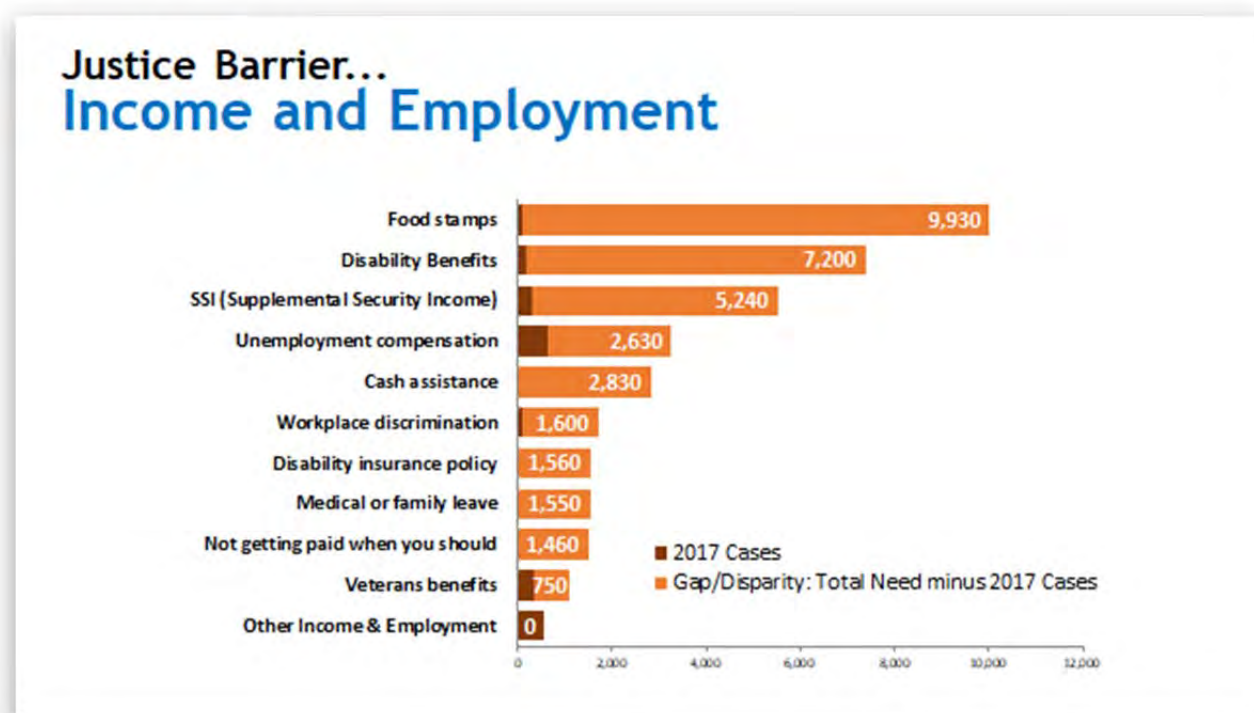


Exhibit 22 reveals that the Justice Barrier is high for people experiencing virtually all of the legal problems in the Income and Employment area – legal aid is only available for a fraction of those needing legal help with these problems.

The reasons for the disparity between the incidence of legal needs and the number of people who receive legal help are many. A lack of resources available to legal aid providers is the overwhelming cause – there simply is not enough funding to support the lawyers who could help more people. However, contributing factors include a lack of awareness on the part of those experiencing the problems and a lack of knowledge on the part of potential partner agencies in the community about the role that legal aid can play in addressing these problems. Many people who need help do not seek it because they don't know they are eligible for free legal aid. Others could have been helped if other agencies in the community were trained in spotting legal problems

experienced by their clients and better equipped to refer those people to legal aid so the problems could be addressed.

A combination of outreach to potential clients and community agencies aimed at raising awareness about legal aid and fundraising to generate the resources needed to increase capacity is called for.

The study's findings regarding the "Justice Barrier" for specific legal problems present significant opportunities for the Nevada civil justice community as a guide for identifying specific causes for the disparities indentified. Appendix F, the detailed breakdowns of the Justice Barrier by individual legal problems – provide a rich source of information for further analysis and strategic action in the near future aimed at reducing the Justice Barrier for those who face it.

What are the Implications of the Justice Barrier for the Families and Individuals Involved?

Families facing legal crises without legal help can face disaster. For a family living in poverty, a lack of legal assistance with a crisis affecting one's basic income or employment can make the difference between being able to afford food and shelter and facing a future of dire poverty.

Three examples are presented in this section highlighting the implications of unmet needs for legal help.

Example One: Implications of Unmet Legal Needs in Income and Employment Matters.

Exhibit 23 below contrasts the situation where one faces a denial of Social Security Disability Income (SSDI) benefits without legal help with one in which legal aid is available. Without legal help, most people in this situation are unable to navigate the complex appeal process and either give up without trying, or attempt, but fail, to succeed in filing an appeal on their own. With legal help, they have a vastly better chance of succeeding.

Exhibit 23

Implications of Unmet Need For Legal Help With Denial of Disability Benefits

WITHOUT Legal Help, People...	WITH Legal Help, People Can...
✓ Are unaware of legal rights	✓ Exercise legal rights
✓ Have difficulty navigating the complex appeal process	✓ File a timely legal appeal
✓ Usually give up or lose	✓ Win their appeal (80% success)
✓ Continue in poverty	✓ Get an income stream averaging \$830/mo. for 11 years... \$109,000 total

The graphic also features a photograph of a person's hands clasped in prayer, resting on the armrests of a wheelchair, set against a blurred background of a field.

Example Two: Impact of Unmet Legal Needs in Family Matters. Exhibit 24 summarizes the implications of having or not having legal assistance in a situation involving domestic violence, which was named as the eighth most frequent legal problem overall by respondents to the legal needs survey.

Exhibit 24

Implications of Unmet Need For Legal Help With Domestic Abuse

WITHOUT Legal Help, People...

- Continue in abusive situations
 - ✓ Miss work
 - ✓ Lose their jobs and income
 - ✓ Can't pay rent and lose their homes
 - ✓ Have children's schooling disrupted
 - ✓ Struggle with addiction
- Are unaware of programs that could help

WITH Legal Help, People Can...

- Get independence from abuser
 - ✓ Order of Protection
 - ✓ Custody of children
 - ✓ Child support
 - ✓ Divorce
 - ✓ Show up at work and school
- Get referrals to housing, employment, education and other support programs



Abuse victims are often referred to legal aid by family shelters or other community agencies, or come directly to legal aid for help.

Legal assistance has been shown to be one of the most effective means for securing protection from domestic violence.¹⁸ The legal help begins with immediate filing for an Order of Protection, enforceable by the court, followed with filings aimed at providing more permanent independence from the abuser through securing child custody, child support, and divorce or legal separation.

Without such legal protections, many victims remain in the abusive situation for years, controlled by the abuser through threats to withhold income as well as actions that undermine her relationship with her children.

The impacts of continuing in an abusive environment have been thoroughly documented by research revealing the immediate and long-term impacts of physical and mental injury, missed work, and lost income for the victim, as well as profound impacts on any children in the

¹⁸ See “Explaining the Recent Decline in Domestic Violence” by Amy Farmer and Jill Tiefenthaler, *Contemporary Economic Policy*, April 1, 2003.

relationship in terms of their schooling, physical and mental health, and long-term prospects for growing up to be healthy, productive adults.

Example Three: Impact of unmet legal needs in Housing matters. Exhibit 25 below summarizes the implications of having or not having legal assistance when faced with an eviction notice from one's landlord or a public housing authority.

Without legal help, such a notice can threaten the basic survival of a low-income family. Children can miss school and/or be forced to change abruptly to a school in another district, seriously disrupting their school attendance.

Exhibit 25

Implications of Unmet Need For Legal Help With Eviction Notice

WITHOUT Legal Help, People...	WITH Legal Help, People Can...
<ul style="list-style-type: none">✓ Miss work and schooling✓ Usually lose by default✓ Are unaware of programs that could help✓ Have children's schooling disrupted✓ Wind up couch-surfing or in shelters	<ul style="list-style-type: none">✓ Get time to seek alternative housing✓ Stay at work✓ Access emergency assistance programs✓ Keep children in their own school✓ Avoid homelessness

The infographic includes a photograph of a police officer in uniform talking to a man in a white cap who is moving boxes out of a building. A woman is also visible in the background.

If the adults are employed, they will miss work and, if the housing crisis continues, will likely lose their jobs altogether. In many cases, people are unaware of programs such as temporary rental assistance that could help them weather the immediate crisis and avoid eviction.

In contrast, getting assistance from a lawyer can make a huge difference. The legal advocate will apply all applicable legal remedies and often can prevent eviction. In cases where no legal remedy is available, the lawyer usually can negotiate additional time for the family to seek alternative housing. In many cases, arrangements can be made to keep the children in school and workers on the job. The need for emergency housing is avoided and the impact on employers is minimized.

Overcoming the “Justice Barrier”

In summary, this study finds that Nevada's five core legal aid providers make a vital difference in the ability of their clients to overcome the Justice Barrier – the disparity between the legal need and the capacity of Nevada's legal aid providers to address it. Still, about three-quarters of civil legal problems faced by low-income Nevadans go unmet for lack of provider resources, awareness on the public's part, and other factors. See section H for Solutions for a discussion of additional strategies for legal aid to pursue in addressing the Justice Barrier.

G. The ECONOMIC BENEFITS of Reducing the Justice Barrier

- **The Bottom Line**
- **Where the Impacts Come From**
- **Income for Low-Income Clients**
- **Cost Savings**
- **The Multiplier Impact on Communities**



The Bottom Line: Nevada's Legal Aid Providers Produced \$128 million in Economic Impacts in 2016, a Seven-Fold Return on Investment.

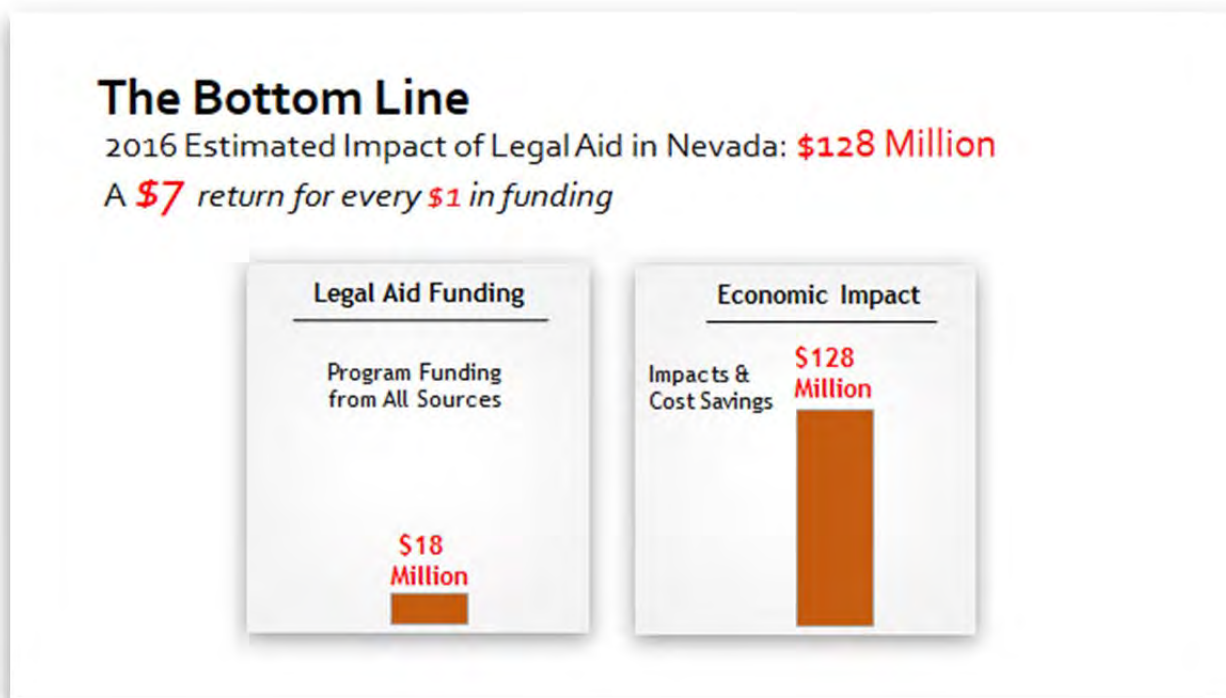
The shared primary mission of Nevada's legal aid programs is to deliver access to the civil justice system for people in poverty who lack the means to hire a lawyer. Equal justice is an American ideal. Yet this mission also produces economic outcomes that ripple outward to benefit many other segments of society.

For example, by helping low-income people qualify for public benefit programs, legal aid brings a stream of federal tax dollars into Nevada that not only provides food, shelter, and health care to vulnerable residents, but also boosts local economies throughout the state through the economic multiplier impact. Legal aid advocates save dollars for everyone by keeping families in their homes, by helping people escape domestic violence, and by helping public programs and the court system work more efficiently.

While it is difficult to place a dollar amount on many of the societal benefits that legal aid programs produce, such as fair administration of justice, or the correction of discriminatory practices, etc., legal aid programs achieve an array of financial outcomes that are readily quantifiable. The case management computer systems of these programs have made it possible to track dollar benefits awarded directly to clients through successful casework, while economic modeling reveals the further cost savings and other impacts that legal aid has on clients and local communities. Comparing legal aid programs' overall financial impacts with their total funding provides a measure of the significant economic impact of investing in legal assistance.

Exhibit 26 below summarizes the combined economic impact of the five core legal aid programs in Nevada in 2016. The chart shows that the programs together produced \$128 million in economic impacts – about a seven-fold return on a total of \$18 million from all sources invested by funders in the operations of these legal aid programs during the period covered by the analysis.¹⁹

Exhibit 26



Where the Impacts Come From

As indicated in Exhibit 27, the economic boost comes through three types of impacts:

- Cost savings for law enforcement, government, and healthcare;
- Direct-dollar income that supports children, veterans, and people with disabilities; and
- Increased revenue for businesses from the spending of those dollars by legal aid clients for food, rent, medicine, and other necessities. That revenue, in turn, supports jobs for working Nevadans employed by the businesses that provide those necessities.

¹⁹ The findings presented in this section were based on legal case statistics reported by Nevada’s five core legal aid programs for services they provided in 2016, the latest year for which complete outcomes data were available at the time the analysis was performed.

Exhibit 27

Where the Impacts Come From:



- Income for low-income households **\$40M**
Legal aid cuts barriers keeping people in poverty
- Cost savings **\$38M**
Legal aid saves money
- Multiplier impact on communities **\$50M**
Spending by clients provides new revenue for businesses and creates jobs

These three categories of impacts are described in more detail in the following sections, starting with income for legal aid clients.

Income for Legal Aid Clients

Exhibit 28 lists four types of income and the estimated impact of each that together make up the \$40 million total revealed by the economic impact analysis:

- **Supplemental Security Income (SSI) and Social Security Disability Income (SSDI).** By helping clients navigate the daunting administrative appeal process, legal aid lawyers ensure that each client will get a thorough and fair hearing of his or her case. Each case that is successful produces an average \$827 per month in additional income, lasting for an average of 11 years, producing a net expected value of \$109,000 over the life of the income stream that these benefits provide for clients who are determined to be eligible for them.²⁰
- **Medicare and Medicaid reimbursements.** As with SSI and SSDI benefits, legal aid lawyers cut red tape and significantly increase the likelihood that a client will be successful in appealing a denial of benefits. Nevada legal aid lawyers were successful in an estimated 97 Medicare and Medicaid cases in 2016, with an average benefit per client of \$79,000.²¹

²⁰ See Attachment A, page A-4.

²¹ See Attachment A, pages A-5 through A-7.

Exhibit 28

Income for Clients

Legal Aid Secured **\$40M** for Clients, Comprised of

- Supplemental Security Income (SSI) and Social Security Disability Income (SSDI) – **\$25M**
- Medicare & Medicaid reimbursements – **\$8M**
- Veterans benefits – **\$5M**
- Child support – **\$2M**



- **Veterans benefits.** Legal aid lawyers won an estimated \$5 million in benefits for Nevada low-income veterans in 2016, providing a much-needed income stream for clients who faced significant legal and administrative hurdles in accessing the benefits for which they were eligible.
- **Child support.** Eighty-three clients obtained an estimated \$2 million in child support as an outcome of legal assistance they received from legal aid programs in 2016.²² Each case that is successful produces an average \$375 per month in child support income, lasting for an average of nine years, and producing a net expected value of \$40,500 over the life of the income stream that child support provides for clients.²³

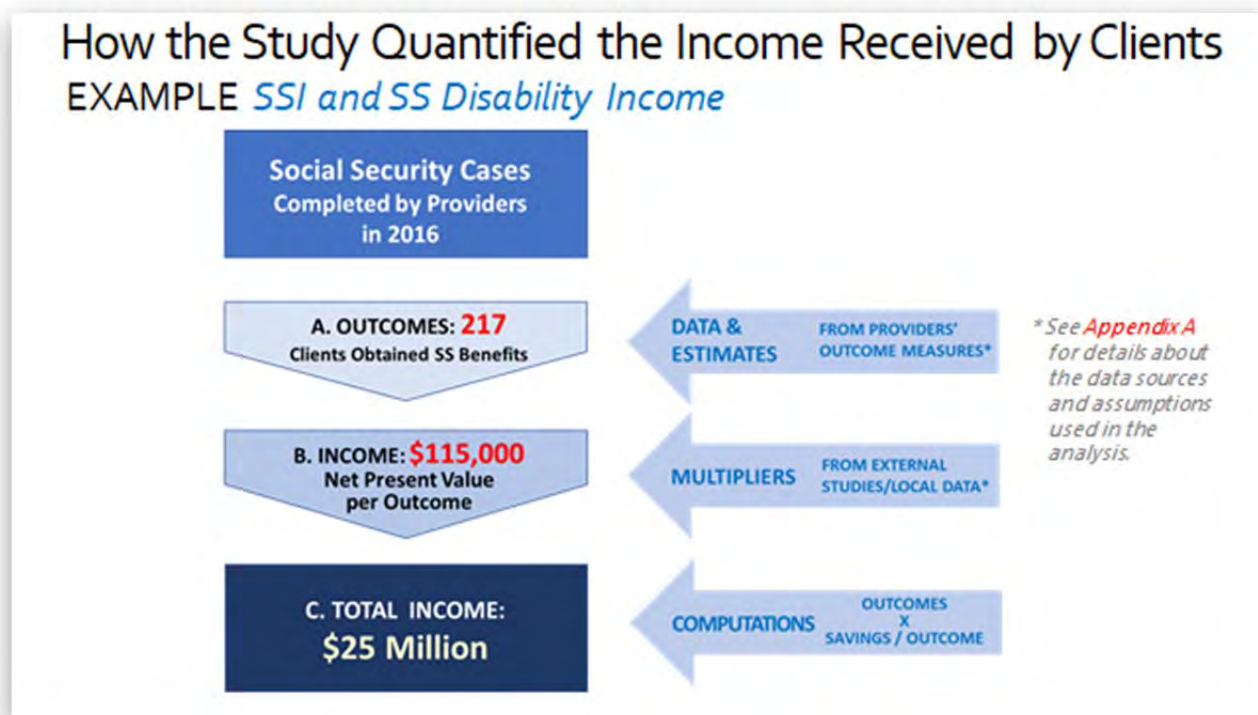
How the Study Quantified the Amounts of Income Produced for Clients. Exhibit 29 on the next page depicts the way in which the study quantified the amounts of income received by clients as a result of the legal assistance they received from Nevada legal aid programs. The exhibit indicates the sources of data that were used (outcomes data tracked by the legal aid providers) and the kinds of computations and assumptions that were applied in estimating one

²² Due to the way child support cases are counted by legal aid programs, it is likely that the \$2 million figure greatly understates the actual amount of child support obtained from 2016 cases. Child Support is nearly always a part of divorce and/or custody cases, but the 83 cases that were counted in our estimate reflected only those cases for which Child Support was counted as a separate outcome rather than being subsumed within multiple outcomes achieved from a single case.

²³ See Appendix A, page A-8.

example: the income produced by successful Social Security Disability Income cases. The details of these estimates of income produced for clients are provided in Appendix A.

Exhibit 29



Cost Savings

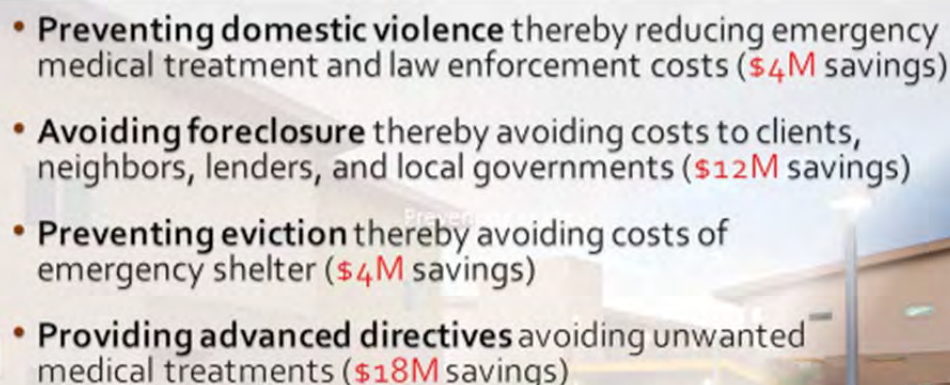
Exhibit 30 on the next page lists four types of cost savings that make up the \$38 million total revealed by the economic impact analysis. The computations and assumptions used for deriving these figures are outlined in Appendix A.

- **Preventing domestic violence.** By helping an abused woman and her children escape an abusive partner, her legal aid lawyer not only makes her safer, but also saves the law enforcement costs that continued abuse imposes on the entire community, the emergency-room treatment of victims, and the cost of finding replacements for employees who fail to show up at work.
- **Avoiding foreclosure.** By negotiating a mortgage payment plan for an elderly couple, their legal aid lawyer not only enables them to avoid becoming homeless, but also preserves the equity they have built up in their home, saves their lender the costs of foreclosure, and saves their neighbors the loss of property values that can happen with foreclosed and poorly maintained homes.

Exhibit 30

Cost Savings

Legal Aid Saved **\$38M** for Clients and Other Stakeholders in 2016 by

- 
- **Preventing domestic violence** thereby reducing emergency medical treatment and law enforcement costs (**\$4M** savings)
 - **Avoiding foreclosure** thereby avoiding costs to clients, neighbors, lenders, and local governments (**\$12M** savings)
 - **Preventing eviction** thereby avoiding costs of emergency shelter (**\$4M** savings)
 - **Providing advanced directives** avoiding unwanted medical treatments (**\$18M** savings)

- **Preventing eviction.** By taking an unscrupulous landlord to court to enforce laws protecting tenants' rights, a legal aid lawyer not only keeps her client in her home and her children in school, she also saves the community the cost of providing expensive emergency shelter while the client struggles to find another rental she can afford in a community already facing a serious shortage of decent affordable housing.
- **Providing advance directives.** By helping a client who faces a terminal illness to prepare an advance directive, her legal aid lawyer not only preserves her peace of mind, but also enables her family and health care providers to avoid the costs of expensive end-of-life medical treatment she does not want.

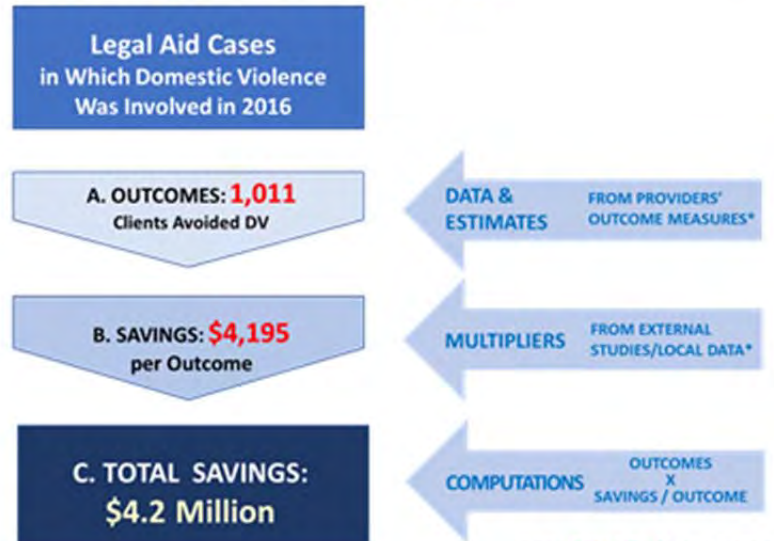
How the Study Quantified the Cost Savings. Exhibit 31 on the next page shows one example – the cost savings achieved by preventing domestic violence – to illustrate the methodology used to estimate the kinds of cost savings described above. It indicates the sources of data that were used (outcomes data tracked by the legal aid providers) and the kinds of computations and assumptions that were applied.

A similar combination of data sources, computations and assumptions were applied for estimating the other cost savings indicated above in Exhibit 30. These are laid out in detail in Appendix A.

Exhibit 31

How the Study Quantified the Cost Savings

EXAMPLE *Preventing Domestic Violence*



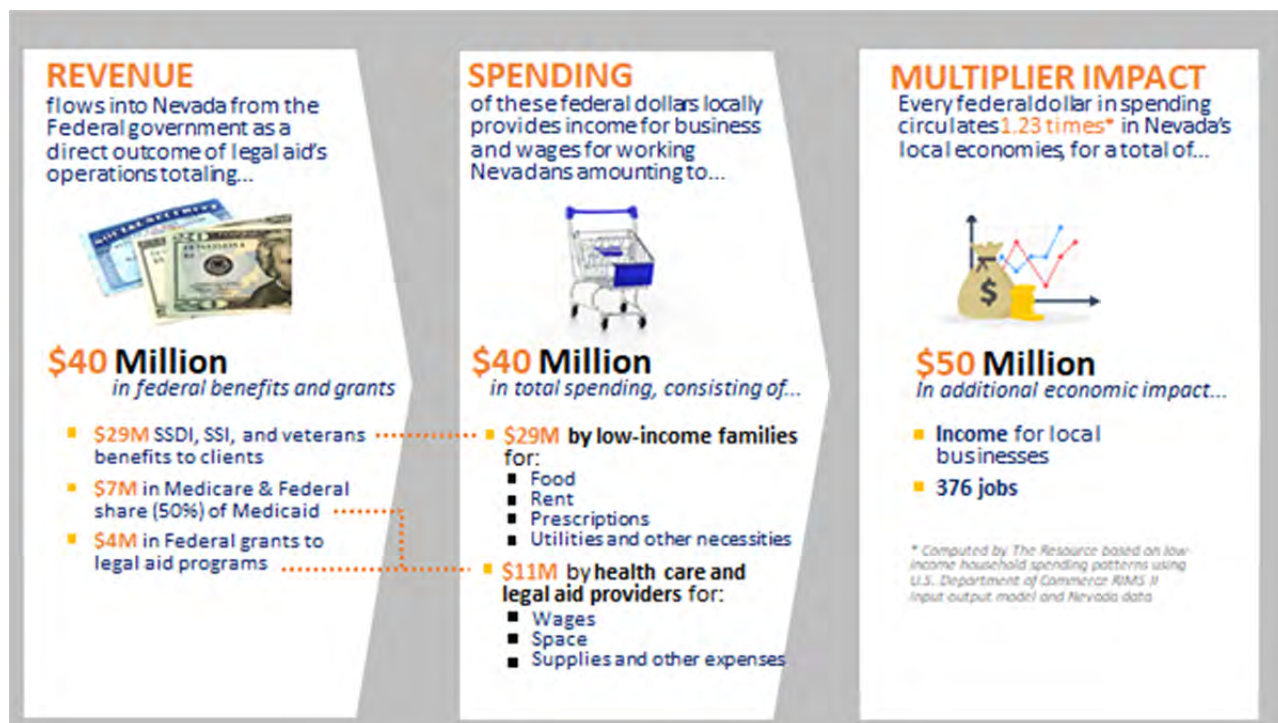
* See *Appendix A* for details on the data sources and assumptions used in the analysis.

The Multiplier Impact on Communities

The graphic in Exhibit 32 on the next page illustrates how the client income generated by legal aid in the form of federal benefits for clients, reimbursements for health care providers, and grants for legal aid programs produces an economic “multiplier impact” in local economies across Nevada. The multiplier impact occurs when recipients of that revenue spend it within the state, which, in turn, generates revenue for Nevada businesses and jobs for the Nevadans employed by these businesses.

Exhibit 32

Multiplier Impact on Nevada Communities: **\$50M** *How We Estimate the Multiplier Impact*



The “economic multiplier impact” is created when dollars flow into Nevada from outside the state – for example, from federal entitlement programs such as Social Security Disability Income (SSDI) and Supplemental Security Income (SSI) – as an outcome of the legal assistance provided by Nevada legal aid programs.

Besides federal benefits received directly by low-income clients, the multiplier impact is boosted by Medicare and Medicaid reimbursement dollars received by Nevada health care providers as an outcome of successful advocacy by legal aid lawyers enabling clients to qualify for this coverage.

A portion of the multiplier impact also is produced as a result of federal grant monies received by the legal aid programs from agencies such as the Legal Services Corporation, the U.S. Department of Justice, and the federal Administration on Aging.

The multiplier impact occurs when these federal dollars are spent locally, producing revenue for Nevada businesses. Legal aid clients, for example, use a portion of their benefit checks to pay for food, utilities, gas, rent, and other necessities. Health care providers spend a portion of their Medicare and Medicaid dollars locally as well for salaries and wages, office space, and supplies. Legal aid providers similarly spend much of their federal grant dollars locally for salaries and other expenses.

These federal dollars spent within the state circulate an estimated 1.23 times in the local economy.²⁴ The result is that the \$40 million in federal revenue coming into Nevada as a result of legal aid provides a combined \$50 million in additional income (\$40 million times 1.23) for local businesses and supporting 376 additional jobs for Nevada families.

Other Economic Impacts – Not Included in Our Estimated Total for Nevada

The economic impacts reported above in this section were all estimated using “hard” data – that is, numbers and types of legal cases reported by legal aid programs to their funders and measured data taken from published studies that document the validity of the assumptions we have applied in producing solid estimates.

In addition, there are other results of Nevada legal services programs’ work that are important to acknowledge, even though they are more difficult to quantify to the same extent. Although these are “softer” impacts, some may consider them to be even more significant than the figures that were included. Some examples follow.

- **Pro Bono:** Nevada’s private lawyers contributed free legal services in 2017 with an estimated market value of more than \$6 million through their participation in organized pro bono programs supported by legal aid.²⁵

This figure was estimated by the calculation shown in Exhibit 33 below.

Exhibit 33



²⁴ The economic multiplier effect is a widely-recognized phenomenon in economics and business, often cited by chambers of commerce and public agencies to quantify the benefits derived from projects that bring outside money into a community from activities such as tourism and government investment in public projects. The Resource uses the RIMS II Regional Input-Output Modeling System of the U.S. Bureau of Economic Analysis for estimating the economic multiplier impact of legal aid on local economies. For further information, see the RIMS II website at <https://www.bea.gov/resources/methodologies/RIMSII-user-guide>

²⁵ Source of data: 2017 statistics compiled by Nevada legal aid providers who track pro bono hours from reports submitted by volunteer lawyers when they complete a pro bono case.

At \$6 million, the market value of pro bono is a significant resource. As important as this is, however, it is even more significant that volunteer private lawyers are eliminating the Justice Barrier for thousands of low-income Nevadans across the state. Every client who is represented by a volunteer lawyer is a person who will be informed of her legal rights, have help in navigating the legal system, and, in all likelihood, have a vastly better outcome than she could possibly obtain on her own. By participating in pro bono, private lawyers across Nevada are not only contributing the irreplaceable resource of their time, but also providing access to the justice system and a better life for their neighbors who otherwise would have had to face the court system alone.

- **Avoiding the devastating long-term impacts of eviction or foreclosure.** The impacts of homelessness on families can be devastating, and the strain on community services can be significant, with emergency shelter and other costs far exceeding the cost of legal assistance and other preventative measures. The following are just a few examples of the costs that are saved by the success of Nevada legal aid programs in preventing eviction and foreclosure:²⁶
 - **Foster care for homeless children** – A child facing homelessness is 34 times more likely to end up in foster care than all U.S. children. The adjusted marginal cost associated with foster care is **\$60,422** per child annually.
 - **Mental health services** – By the age of 12, eighty-three percent of children experiencing homelessness have been exposed to at least one violent event. These children are 15 percent more likely to need mental health services to recover from the impact of trauma when compared to their peers. The average annual cost for mental health services for children is **\$2,865** per episode.
 - **Impact on schooling** – Children experiencing homelessness have higher drop-out rates than their stably housed peers. Only one in four students who have experienced homelessness graduates from high school. Students who drop out of high school earn on average \$200,000 less over their lifetime than high school graduates.
- **Contributing to a more stable workforce for employers.** The average annual cost to an employer due to unscheduled absenteeism by an hourly employee is \$2,660 per shift worker per year.²⁷ By preventing legal problems such as eviction, foreclosure, and domestic violence from spiraling out of control for residents, Nevada legal aid programs enable employers to avoid much higher rates of absenteeism and poor job performance, the economic impacts of which were not included in the figures presented in this study.



²⁶ The information presented in this bullet was taken from “The Cost of Homelessness,” by the National Center on Family Homelessness, December 2012, available at <http://www.homelesschildrenamerica.org/media/266.pdf>.

²⁷ “Absenteeism: The Bottom-Line Killer,” by Circadian International Limited Partnership; available at <https://www.circadian.com/blog/item/43-shift-work-absenteeism-the-bottom-line-killer.html>

- **Easing the strain on the local court system.** By providing representation to low-income clients and resources to help people prepare for representing themselves in court (*pro se* assistance and the self-help centers in Clark and Washoe counties), Nevada legal aid programs enable the court system to stretch resources and operate much more efficiently. The cost savings for court budgets achieved as a result of *pro se* assistance programs such as those provided by the Nevada legal aid programs have been estimated at between \$1.81 and \$4.35 per dollar spent on such programs.²⁸

A Major Investment Opportunity: Lowering the “Justice Barrier”

The significant economic impacts – quantified and non-quantified – generated by Nevada legal aid programs present an enormous opportunity for funders and partners. As outlined in section F, the unmet need for legal aid – the “Justice Barrier” – represents both a challenge for the civil justice system and an opportunity for funders. Every additional dollar invested in Nevada legal aid programs will mean not only more people provided with the legal help they need, but a seven-fold economic return in the form of income for clients, cost savings for Nevada institutions, and the multiplier impact of additional federal dollars on local economies throughout the state.

²⁸ Source of the estimated cost savings: Greacen, John, “The Benefits and Costs of Programs to Assist Self-Represented Litigants,” California Administrative Office of the Courts, Center for Families, Children and the Courts; May 2009.

H. SOLUTIONS:

Five Strategies For Reducing the Justice Barrier

- **Reset Priorities**
- **Enhance Multi-Tiered Service Delivery System**
- **Innovate to Do More with Less**
- **Form Collaborative Partnerships**
- **Increase Funding**



1. First Strategy: Reset Priorities for the Legal Problems that Will Be Accepted for Service

- a. All of the Nevada legal aid programs have case acceptance priorities in place that enable them to focus on what their boards of directors and funders have determined to be the...
 - 1) Most urgent problems, or
 - 2) Problems of greatest impact, or
 - 3) Problems affecting the most people, or
 - 4) ...All of the above.



- b. An important strategic action the Nevada civil justice community can take is to review the current priorities of the core legal aid providers in light of the findings of this study, and then engage in a process that re-aligns the priorities of each organization to ensure that resources are applied in ways that produce the greatest possible impact on the legal needs of its clients, while respecting and aligning with the mission of each program.

2. Second Strategy: Enhance the Multi-Tiered Service Delivery System to Reach More Nevadans in Need

Each of the five core legal aid programs offers a mix of legal services that vary in intensity and scope as suggested in the graphic at right. All of the providers offer tier 2 (advice-only and brief services) and tier 3 (specialized legal services such as representation in Public Benefits and Consumer matters). Some, but not all, offer tier 1 services (assistance to self-represented litigants). Others provide tier 4 services (systemic advocacy) aimed at efficiently addressing large-scale legal problems affecting the low-income community broadly.



A strategic action the Nevada civil justice community can take in responding to the findings of this study is to review the multi-tiered delivery system currently in place for reaching clients in each region of the state, and then proactively explore opportunities for enhancing that system through strategic investments that expand certain service tiers (for example, help for self-represented litigants) into areas of the state where they are not currently available, and/or apply technologies and best practices developed in Nevada and elsewhere that provide more bang for the buck than the delivery methods that are currently being used.

3. Third Strategy: Innovate with Partner Funders to Address Uncovered Needs

A strategic action the Nevada civil justice community can take for responding to the findings of this study is to seek partners and funders to invest in such innovations as:

- a. **Courthouse Self-Help Centers** statewide equipped with technology, paralegals, and/or lawyers
- b. **Streamlined court processes** – using forms, procedures, and E-file systems
- c. **Systems using videoconferencing (e.g., Skype)** to serve clients in remote areas
- d. **Web-based intake** as an adjunct to toll-free phone systems and walk-in intake



4. Fourth Strategy: Form Collaborative Partnerships

A strategic action the Nevada civil justice community can take for responding to the findings of this study is to seek opportunities for expanding current partnerships and forming new ones with other entities that serve the low-income community. In these, the legal aid program provides legal advice and help to clients of the partner organization as well as referrals of legal aid clients to partners in cases where non-legal help is needed. Partnerships that have proven extremely successful in Nevada and elsewhere, and for which more funding should be sought, include:

- a. Medical/Legal Aid
- b. Human Service Providers/Legal Aid
- c. Government/Legal Aid
- d. Business/Legal Aid
- e. Financial Institution/Legal Aid



5. Fifth Strategy: Increase Funding for Legal Aid Programs and Initiatives

- a. All of the efforts described above require funding – for staff, for outreach, for facilities, and for technology.
- b. Most urgently, funding is needed for more lawyers. Access to justice really means being able to consult a lawyer when one needs legal advice, and ultimately being able to have a lawyer appear in court on one's behalf when a legal crisis such as being served with an eviction notice threatens one's home, family, personal safety, and livelihood.
- c. A strategic action the Nevada civil justice community can take for responding to the findings of this study is to seek opportunities for increasing funding to:
 - a. Hire more legal aid lawyers
 - b. Recruit and deploy more pro bono lawyers
 - c. Recruit and deploy more paralegals and legally-trained volunteers
 - d. Pay for the infrastructure and other costs of supporting more lawyers and volunteers.



I. COMMUNITY FEEDBACK

What Our Stakeholders Said



After the Survey was completed, Stakeholder Meetings Were Held in Six Locations Across Nevada. Led by the five legal aid providers, and under the auspices of the Nevada Supreme Court Access to Justice Commission, these meetings provided an opportunity for representatives of human services agencies, non-profit organizations, local bar leaders, members of the judiciary, political leaders, and other stakeholders to hear a briefing on preliminary findings of the study and to explore with the legal aid organizations the possibilities for working together to address the community needs that were revealed.

The locations of these meetings and some of the feedback provided by participants is summarized in Exhibit 34.

Exhibit 34

Stakeholder Meetings Were Held in Six Locations Across Nevada

What We Heard:

- **Housing / Affordability** is a top unmet need.
- **Eviction Defense** is a need related to the above that was identified by many participants.
- **Custody** is also a big issue...Might be donors to support more legal assistance in this area.
- **Income / SSDI / SSI /Government Benefits** is another huge unmet need that many flagged.
- **Other compelling needs:**
 - Immigration/deportation
 - Domestic violence
 - Education/special education access/discipline issues



Housing, and especially the critical need for increasing the supply of affordable housing for low-income families, was a theme heard in virtually every community. Related to the housing shortage, the need for **funding to support more lawyers to provide eviction defense** to keep low-income families in their homes was a legal need that participants agreed should be a high priority for resource development efforts going forward.

Child custody was another legal need that many participants agreed should be a high priority. The meetings were well attended by human services providers working with children and families, who stressed the importance of minimizing the trauma on children of families in distress by ensuring that custody disputes are resolved in ways that not only enforce clients' legal rights but also place the welfare of children squarely in the center.

More lawyers to work on income security issues such as SSDI, SSI, and government benefits is a huge un-met legal need that was revealed in the study's Justice Barrier analysis and affirmed by participants in the meetings. An important result of the study's economic impact analysis was the finding that each successful case can provide an income stream for clients that lasts for an average of ten years, making a huge difference in addressing a host of related needs for the families involved, including access to decent, affordable housing, education, job training, and health care.

Exhibit 35 summarizes additional feedback heard from participants in the meetings. More public outreach is needed to inform potential clients about legal aid and about common situations they might not recognize as legal problems but represent opportunities for moving from crisis to stability with greater access to legal information and advice about the legal rights and options people have in these situations. Other common themes included the need for more lawyers, opportunities for more collaboration, and the potential of technology for improving legal services delivery.

Exhibit 35

Summary of the Stakeholder Meetings

Common Refrains...
Stakeholders' Feedback From the Meetings Highlighted the Following Needs:

- More public outreach
- Capacity to serve more clients
- More lawyers
- More collaboration between courts and legal aid
- Taking education/services into the community/neighborhood events
- Exploring technology options for legal aid delivery



J. CONCLUSION

The Justice Barrier Presents a Challenge... And an Opportunity



This study has confirmed several things about legal aid in Nevada that have long been apparent, and has revealed other information that is new. Nevada's population grew steadily despite the Great Recession, but the poverty population surged three times faster and remained high long after the recession subsided. Therefore, there is now a greater need for legal aid than ever before. Nevada's network of legal aid organizations is underfunded, yet it continues to provide access to our civil justice system for thousands of people who have nowhere else to turn.

What is not so well known is that even with its limited funding, legal aid prevents problems from cascading, keeps clients in their homes and on the job, and keeps their kids in school. Legal aid opens doors to other support services that multiply its impact.

And legal aid's return on investment will be news to many. The \$18 million invested annually in legal aid in Nevada returns \$128 million to Nevada's economy. For every \$1 spent, legal aid returns \$7. The economic impacts include cost savings for law enforcement, government, and health care; direct-dollar income that supports children, veterans, and people with disabilities; and increased revenue for businesses from the spending of those dollars by legal aid clients in the community, in turn, supporting more than 370 jobs for working Nevadans.

The 2018 Legal Needs and Economic Impact Study shows that Nevada legal aid programs are providing essential services that help thousands of low-income residents of Nevada each year to address critical legal issues directly affecting their families, homes, incomes, jobs, and access to vital services. The findings of this study have demonstrated that additional investments aimed at lowering the "Justice Barrier" not only will help many more people, but also will have a dramatic, 7-to-1 economic return that will benefit everyone in Nevada.