



Judge Michael Montero

MESSAGE FROM THE PRESIDENT

BY BRYAN K. SCOTT, ESQ., PRESIDENT, STATE BAR OF NEVADA

ACCESS TO JUSTICE: A RURAL JUDGE'S PERSPECTIVE

In furtherance of his goal to support Access to Justice, President Bryan Scott features Judge Michael Montero in this month's column.

The State Bar of Nevada's Board of Governors holds one of its meetings each year in one of Nevada's rural counties. During a recent meeting in Winnemucca, I had the privilege of meeting Judge Michael Montero, who serves Nevada's Sixth Judicial District in Humboldt County. Judge Montero offered an interesting presentation about access to justice issues and the need for more attorneys in rural Nevada. After his presentation, I wanted to bring his perspective on these issues to the entirety of the bar's membership. With his passion and love for rural Nevada, Judge Montero is perfect person to tell its story and advocate for its legal needs. Here are just a few of his responses to this important aspect of Nevada's legal landscape.

QUESTION: Why are you so passionate about rural Nevada?

ANSWER: I was born and raised in Winnemucca, Humboldt County. I'm a third-generation Nevadan. I actually grew up on a ranch outside of Winnemucca, about 90 miles from ... the closest town. During [my education and early career in Reno], I still had family and the family business in Winnemucca, and I always had this interest of coming home. An opportunity arose when the judge in the seat I now occupy decided to not run, and I made the decision to make the full circle and come back home.

QUESTION: What are some of the concerns you have about justice in rural parts of the state?

ANSWER: What I see here is that with a lack of attorneys, there are a lot of people who are underrepresented. I see [this situation] at least weekly, if not more frequently. People are always coming into my chambers wanting help with various legal matters. As a judge in a small town, you are easily recognizable. I was at a high school basketball game recently and a couple approached me about a contract to sell a vehicle.

We are limited in pro bono and nonprofit services. Most, if not all of those pro bono and nonprofit providers, do have some involvement in Winnemucca, but they don't have an actual office here. To say go to Nevada

Legal Services, well those offices are in Carson City or Reno. A person would have to travel 170-200 miles to go to that office to see an attorney. For a lot of people, they cannot afford to get to Reno to meet with an attorney.

[T]he most concerning ... cases [involve] elders – the elderly population. [W]e do have Lora Myles, who does a lot of work out here [assisting the] senior population with estate planning and guardianships, and those types of legal needs.... I also have grave concerns about the juvenile system. I see a lot of self-represented litigants in family cases.

QUESTION: What can be done to attract lawyers to that part of the state?

ANSWER: One of our best resources is our local kids, and I spend a lot of time working with the high school and different programs to encourage kids to go into the law. I think about my own situation. I had no immediate family members who were attorneys, so to go into a career path of becoming a lawyer was somewhat foreign to me. I feel strongly that a lot of young people need to be educated about the opportunity of getting a law degree. Whether I'm a speaker at the high school or community college, I always weave that into any talk I give. I always look for an opportunity to encourage young people in our community, and I would love to see them come back some day. We now have a law school here in Nevada (William S. Boyd School of Law at UNLV), which is a good opportunity to attract students into rural areas. The

law school ... is bringing students to tour the rural communities [this month]. The dean of the law school (Daniel Hamilton) was at the Board of Governors meeting the day I spoke to them about this issue. I'm really excited about their visit.

QUESTION: What is yet to come with technology in rural parts of Nevada?

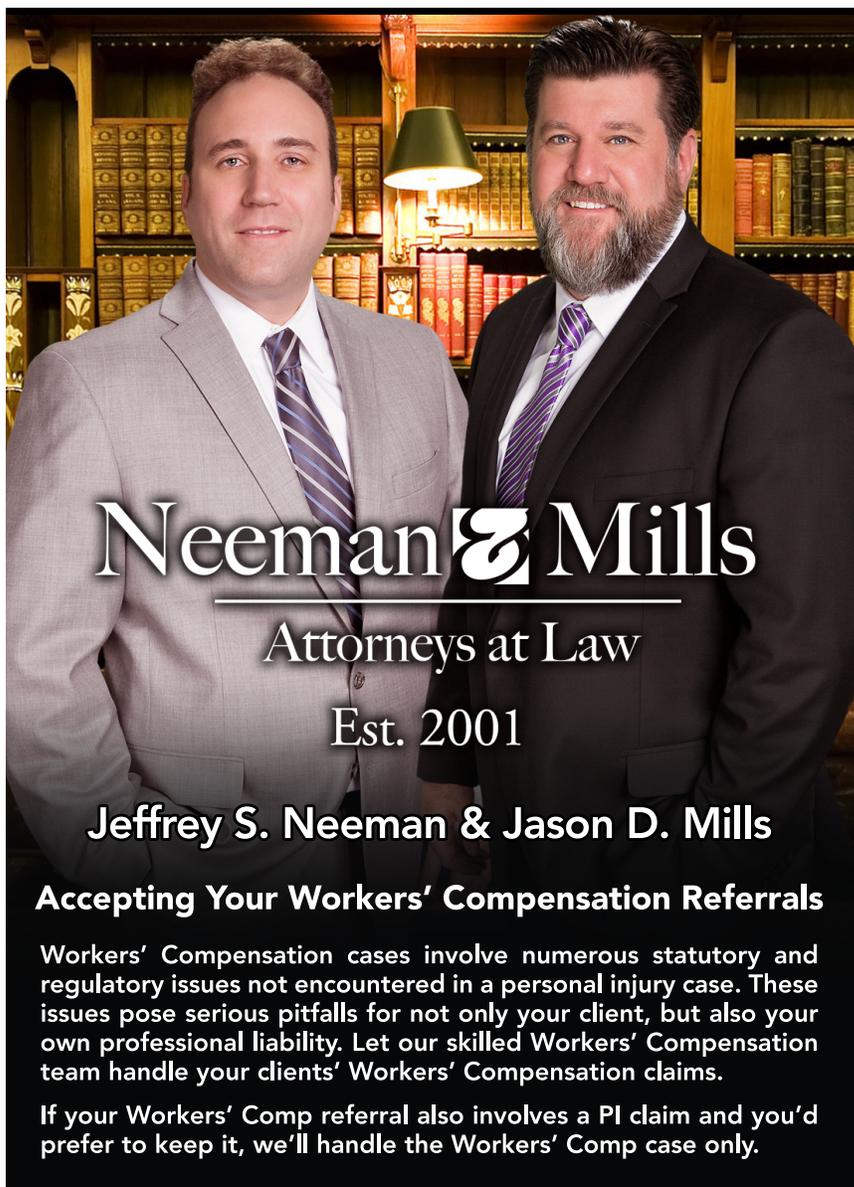
ANSWER: Electronic filing. We don't have it in Humboldt County. It would give attorneys in other parts of the state easier access to the court. This way we could have attorneys in Las Vegas, Carson City or Reno representing a pro se litigant or an indigent client. They could do most of that work via electronic means, and I would really like to see that day.

QUESTION: What has been done so far to improve access to justice in rural Nevada?

ANSWER: Some nonprofit agencies, such as Washoe Legal Services, have shown greater interest in doing more in rural counties. I've seen an increase in my court budget to create a contact with Washoe Legal Services. Nevada Legal Services has increased involvement in our community by doing monthly Ask a Lawyer seminars, and they have days where people can go speak with an attorney and ask questions about legal issues. Volunteer Attorneys for Rural Nevadans (VARN) seem to have a greater presence in Winnemucca. A little activism on behalf of the court to encourage those agencies to have a great presence has been fruitful, and I ... appreciate everything they do.

To learn more about, or volunteer with, rural pro bono service providers, contact Volunteer Attorneys for Rural Nevadans (VARN) at www.varn.org, Nevada Legal Services (NLS) at nlslaw.net or Washoe Legal Services at www.washoelegalservices.org. NL

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