

Pro Bono Bankruptcy Opportunities in Nevada

BY PETER ALDOUS, ESQ.

Ben* is 59 and was recently diagnosed with dementia and congestive heart failure. He is working part time but not earning enough to make ends meet. He has accumulated thousands of dollars in credit card debt and has no way to pay it back.

John* is 37 with two kids. Due to unanticipated side effects of medical treatment that he received, he lost his well-paying job and had to apply for Social Security Disability. He's not sure how he's going to pay his mortgage and the bills are piling up.

Sarah* is 44 with four children. Her husband was convicted of domestic violence against her and is now incarcerated. An immigrant who speaks very little English, she can't make ends meet even though she works full time. Her husband racked up a lot of debt in her name, and she was sued by two different credit card companies.

Each of these people were placed with pro bono bankruptcy attorneys through Legal Aid Center of Southern Nevada. They were able to resolve their financial problems through Chapter 7 bankruptcy. Bankruptcy is designed to help the honest—but unfortunate—debtor overcome significant financial challenges and put their lives back together. Nevada's unemployment rate has skyrocketed due to mass layoffs caused by the COVID-19 pandemic, so more Nevadans than ever will need a fresh start.

Legal Aid Center gathers the necessary paperwork and carefully vets the cases before placing them with volunteer pro bono attorneys. That process ensures the volunteer attorney won't have to waste time tracking down missing documents or dealing with unexpected surprises. Due to high demand for pro bono representation, Legal Aid Center utilizes income guidelines to ensure that those least able to pay an attorney receive assistance.

Applicants seeking a pro bono attorney for a Chapter 7 case must attend Legal Aid Center's Bankruptcy Community Education Class prior to applying for assistance. This class is taught by law students from UNLV's William S. Boyd School of Law, supervised by a Legal Aid Center attorney. In the class, attendees learn about what's required to file a bankruptcy, the process of filing and other information that helps prepare them for filing their case. This education reduces the amount of information pro bono volunteers must provide their clients and further ensures the cases will be successful.

Because Chapter 7 bankruptcies only last four to six months, pro bono volunteers don't have to worry about a long-term commitment. These cases are also ideal for the Partners in Pro Bono program. This program matches up experienced attorneys and law students who work together on a case. The law students work under the supervision of the attorney and can see a case through from start to finish because of the short duration of the case.

In addition to placing low-income individuals filing Chapter 7 bankruptcy with volunteer attorneys, Legal Aid Center also places more complicated cases with

experienced bankruptcy litigators on the Pro Bono Litigation Panel. These experienced litigators provide varying levels of assistance to pro se debtors and other litigants. These range from help with a simple motion to representation in an adversary proceeding. An adversary proceeding is a lawsuit filed in a bankruptcy court that is separate from, but related to, an underlying bankruptcy case.

Whether representing a debtor in a Chapter 7 bankruptcy or a pro se litigant with more complex legal needs, pro bono volunteers perform a valuable service to community members in need. As the economy weathers the storm caused by the COVID-19 pandemic, that assistance is more important than ever.

* Names have been changed to protect client privacy.

PETER ALDOUS

is a staff attorney at Legal Aid Center of Southern Nevada in the Consumer Rights Project. He focuses on bankruptcy, foreclosure and predatory lending.



BANKRUPTCY
Chapter 7