



## **GLS Pro Bono Gaming Employee**

## *Registration Program*

By Scott Scherer

A couple of years ago, the Gaming Law Section began working on a new program to offer pro bono legal assistance to gaming employees who have had objections to their employee registrations lodged by the Enforcement Division of the Nevada Gaming Control Board ("GCB"). Formerly known as "work permits" or "sheriff's cards," employee registrations are required for all gaming employees (as defined in NRS 463.0157) pursuant to NRS 463.335 and Regulation 5.101.

CONT. ON PAGE 28

The Enforcement Division conducts a background investigation of each applicant for registration and may object to the registration of a gaming employee based upon the criteria set forth in NRS 463.335(12) and Regulation 5.104. If the Enforcement Division objects to an employee's registration, the employee has a right to a hearing before a hearing examiner who makes a recommendation to the GCB with regard to whether the objection should be sustained, reversed, or reversed with conditions.

Working with GCB Member Shawn Reid, the GCB originally agreed to modify its standard objection letter to advise applicants not only that they were entitled to be represented by counsel in the appeal process, but also that, if they desired an attorney but could not afford to retain counsel, they could contact the State Bar of Nevada's Lawyer Referral Service. More recently, GCB Member Terry Johnson expressed support for the program and worked with GCB Member Reid to further modify the standard objection letter to specifically provide contact information for the various pro bono agencies in the State, including Legal Aid Center of Southern Nevada, Washoe Legal Services, Nevada Legal Services, and Volunteer Attorneys for Rural Nevadans.

Each of the pro bono agencies agreed to screen applicants to determine whether they qualify for pro bono representation, and the Gaming Law Section agreed to provide the attorneys to represent the qualified applicants. We believe that this is a great way for Gaming Law Section members to provide pro bono service. In addition to providing needed advice and assistance to gaming employees, the involvement of Section members has the potential to streamline

and improve the administration of justice in the gaming employee registration process.

In a recent discussion with GCB Member Johnson, he expressed his appreciation for the assistance of those Gaming Law Section attorneys who agreed to provide assistance in employee registration appeals, pointing out that the volunteer attorneys have been able to help refine and focus the issues on appeal and, in some cases, have brought up issues that no one else had raised. In his view, a willingness to represent gaming employees on a pro bono basis enhances the image and reputation of a gaming lawyer.



Gaming Law Section attorneys have now handled more than 20 employee registration appeals<sup>1</sup> on a pro bono basis. Most of these appeals have been from Southern Nevada, and we have more work to do in making sure that employees are aware of the availability of experienced gaming attorneys to assist them throughout the process. If you are interested in participating in the program, please contact Gaming Law Section Executive Board Member Scott Scherer at [sscherer@hollandhart.com](mailto:sscherer@hollandhart.com).

---

Scott Scherer is a partner in the law firm of Holland & Hart, practicing primarily in the area of regulatory and administrative law with special emphasis on gaming regulatory matters and legislative affairs. Scott's career highlights include serving as a Supervising Deputy Attorney General in the Gaming Division of the Nevada Attorney General's Office, General Counsel and Chief of Staff to the Governor, two-term Nevada Assemblyman and member of the Nevada Commission on Ethics. At the request of the Mississippi Attorney General, Scott assisted the Mississippi Legislature in drafting the Mississippi Gaming Control Act. He also served four years as a member of the Nevada Gaming Control Board. Scott's corporate experience includes serving as Associate General Counsel and Executive Director of Corporate Development for International Game Technology (IGT) and Acting Managing Director of IGT Africa.

---

<sup>1</sup> Special recognition goes to Gaming Law Section members Jeff Silver and Jennifer Roberts, who have led the way in the number of employees represented.