

2017

NEVADA SUPREME COURT ACCESS TO JUSTICE COMMISSION STATEWIDE SERVICE DELIVERY PLAN

Strategies for Legal Service Delivery in Nevada





THE NEVADA SUPREME COURT ACCESS TO JUSTICE COMMISSION

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INTRODUCTION

Rule 15, dated July 2006 of the Supreme Court of Nevada established the Access to Justice Commission (AJC) as it formally recognized the importance of access to justice in a democratic society. At the same time, the Supreme Court acknowledged the effectiveness of the access to justice commissions created in other jurisdictions to respond to the challenges of securing equal access to all. Rule 15 provides in part that the commission shall:

- (a) Assess current and future needs for the civil legal services for persons of limited means in Nevada.
- (b) Develop statewide policies designed to support and improve the delivery of legal services.
- (c) Improve self-help services and opportunities for proper person litigants and increase pro bono activities.
- (d) Develop programs to increase public awareness of the impact that limited access to justice has on other government services and on society.
- (e) Investigate the availability of and pursue increased public and private financing to support legal services organizations and other efforts to support legal services organizations and other efforts to provide legal services to persons of limited means.
- (f) Recommend legislation or rules affecting access to justice to the supreme court.

It is through the governance of Rule 15, that the Nevada Supreme Court Access to Justice Commission outlines strategies for effective service delivery in Nevada.

OVERVIEW OF THE CURRENT STATE PLAN REVIEW PROCESS

The Nevada Supreme Court Access to Justice Commission co-chairs Justice Michael Douglas and Justice James Hardesty organized a Commission subcommittee to closely examine legal service delivery in Nevada. The subcommittee consisted of legal service provider executive directors and their respective board chairpersons from Legal Aid Center of Southern Nevada, Nevada Legal Services, Southern Nevada Senior Law Program, Volunteer Attorneys for Rural Nevadans and Washoe Legal Services. Of note, each organization is represented on the Commission and each organization has a significant legal services history in Nevada. The subcommittee met over 2014, 2015 and 2016 to discuss issues relative to legal service delivery including but not limited to organizational funding, an examination of current service delivery areas; overlap of services, and gaps and/or unmet legal service needs.

The subcommittee determined that the best course of action to address present concerns and to plan for the future was to develop a statewide service delivery plan that would (1) establish the legal services that are currently provided; (2) promote continued collaboration among current service providers and (3) outline strategies and procedures for issues that may present in the future.

Areas of Current Planning Focus

Following a review of areas of legal service delivery that could be modified to maximize delivery, the subcommittee identified six planning objectives for future service delivery to be addressed in the plan:

1. Evaluate and address civil legal service needs in all areas of the state;
2. Establish service delivery thresholds throughout the state;
3. Fortify pro bono involvement and self-help services;
4. Serve as a guide for the procurement of legal aid resources and for the protection of existing legal aid resources;

5. Establish legal service provider standards for current and future coalition members
6. Unify processes for civil legal aid throughout the state

PLAN FOR THE DELIVERY OF CIVIL LEGAL AID TO PERSONS OF LIMITED MEANS

Mission and Purpose

Access to justice is a fundamental principle in a democratic society. The need for statewide strategic planning and coordination of efforts to expand services and improve access to justice is critical to the many Nevadans in need of legal assistance and to Nevadans at large to ensure that equal justice under the law is a balanced standard among all citizenry. The Nevada Supreme Court Access to Justice Commission and its partners strive to evaluate and address civil legal needs across the state, create access to justice programs and fortify existing access to justice opportunities for all.

Nevada Coalition of Legal Service Providers

The vast majority of civil legal aid is delivered by a group of five independent non-profit legal service organizations that have historically delivered services to citizens of modest means in Nevada. These organizations are collectively recognized as the Nevada Coalition of Legal Service Providers (the Coalition). Though independent entities, the Coalition members collaborate to address civil legal needs across the state and to devise plans for addressing other civil legal delivery issues.



The Coalition consists of the following members:

Legal Aid Center of Southern Nevada

Legal Aid Center of Southern Nevada, a nonprofit law firm established in 1958, provides high quality legal counsel, advice and representation for low and moderate income community members unable to protect their rights because they cannot afford an attorney. Legal Aid Center serves residents of Clark County, Nevada; its main office is located at 725 E. Charleston Boulevard, Las Vegas, NV. Legal Aid Center also operates two Self-Help Centers which act as “legal emergency rooms”: the Civil Law Self-Help Center at the Regional Justice Center, 200 Lewis Avenue, Las Vegas, NV, and the Family Law Self-Help Center at the Family Court, 701 N. Pecos, Las Vegas, NV.

In 2015, Legal Aid Center helped more clients than ever before in its history: over 121,000 individuals. Legal Aid Center provided attorneys to 4,752 child clients in the foster care system, providing the children a voice in their future and a much better chance to grow up with a loving family. Legal Aid Center represents victims of domestic violence and vulnerable primary caretakers with obtaining protective orders, divorce decrees, and custody of their children, allowing them to reclaim a life free from violence. Legal Aid Center provides immigration assistance to battered immigrants, victims of crime, and children. Legal Aid Center helps people targeted by predatory behavior violating Nevada’s consumer protection laws. The newest program assists the elderly and people with disabilities in guardianship court to ensure that they are not deprived of their civil liberties and life savings with no one by their side to protect their rights. Other services include assisting with educational issues, fraudulent sales practices, foreclosure, bankruptcy, and social security benefit denials

Legal Aid Center offers free community legal information classes in conjunction with the William S. Boyd School of Law. In 2015, 435 classes were offered, serving 4,600 individuals. Through its Pro Bono Project, 208 free “Ask a Lawyer” sessions were held, assisting 3,540 people. Topics included family law, foreclosure, landlord/tenant, small claims, veterans’ issues, federal court assistance, homeless assistance, probate, and small business issues. In 2015, 939 volunteer attorneys assisted 5,935 clients with their legal matters. Legal Aid Center is always responding to the changing needs in the community, experimenting with new programs, and striving to meet the unmet legal needs in southern Nevada community.

Nevada Legal Services

Nevada Legal Services, Inc. (NLS) is a non-profit organization that provides free legal services to low income Nevadans and serves all 17 counties in Nevada and all 23 reservations. In 2015 NLS served a total of 6,747 clients in individual cases, conducted 779 clinics and classes and saw 40,074 individuals in clinics and classes. Nevada Legal Services has offices located across the state including, administrative and litigation offices in Las Vegas, Nevada; a litigation office in Reno, Nevada; the Indian Law Project office in Reno, Nevada; the Senior Law Project office in Reno, Nevada; and satellite offices in Elko, Carson City, and Yerington, Nevada. Since 1981, NLS has provided direct representation of clients in Federal, State, and Tribal Courts, including all appellate courts as well as in administrative hearings in all public benefits areas, taxes, work cards and licenses.

In addition to direct representation services, NLS provides advice to clients who do not require legal assistance or to clients that NLS does not have the resources to represent. Additionally, a number of weekly and monthly classes on legal topics of interest to the client community are offered by NLS. The classes include information packets and forms allowing clients to assist themselves. Legal advice and representation in the following areas of law are regularly provided:

- Consumer Law, including garnishments, debt collection, repossessions, bankruptcy, and contracts;
- Education Law, including school expulsion and special education;
- Employment Law, including wage and hour claims, tax issues, and agricultural/farm worker issues;

- Family Law, including guardianship for adults, representation of wards, adoptions, ICWA cases, divorce, custody, and visitation;
- Health Law, including Medicaid issues, Medicare issues, nursing home issues, and home health care issues;
- Housing Law, including federal subsidized housing program, private landlord/tenant issues, habitability issues, mobile homes, mobile home park closures, and foreclosure;
- Income Maintenance, including TANF, SNAP (food stamps), county general assistance, unemployment benefits, Social Security, SSI, and Veteran's benefits;
- Individual Rights, including immigration/naturalization, mental health, disability rights, human trafficking, and civil rights;
- Juvenile Law, including guardianships for children and representation of parents in dependency and neglect cases.
- Miscellaneous areas of law, including representation for Nevada Tribes, representation in criminal matters in Tribal courts, estate planning, Elder abuse, community development, and representation of groups or non-profit organizations.

In addition to the types of cases listed above, Nevada Legal Services has the following specialty programs:

Indian Law Project: The Indian Law Project serves the 23 reservations in Nevada. The staff represents individuals in civil cases and criminal cases in Tribal courts. The staff also provides representation to Tribal governments in cases where Tribal sovereignty is at stake.

Pro Bono Project: The Pro Bono Project serves the entire State and recruits private attorneys to teach our clinics and classes and private attorneys that will accept cases for direct representation. The Project also produces a number of Continuing Legal Education classes for lawyers each year.

Low Income Tax Clinic: The LITC serves the entire State and represents individuals in tax issues before the IRS and in tax cases before the US Tax Court.

Consumer Action Advocates: The CAA serves the entire State and represents clients facing foreclosure, clients with difficult consumer issues, and teaches classes on foreclosure prevention and consumer rights.

Veterans Assistance Project: The project serves the entire State and provides assistance in all legal areas to Veterans and their family members. The Project also conducts Project Salute each year on Veterans Day wherein private attorneys and NLS staff members volunteer their time to talk to Veterans about issues they may have with their Veteran's benefits. The Project also works with the Nevada Attorney General's Office of Military Legal Assistance on @EASE/CLAP. That program conducts monthly events where Veterans can have a will or other estate planning documents completed and receive advice on other legal topics.

The LGBTQ Project: This project serves mainly Clark County, but can serve other areas of the State if requests are made. The Project assists with name and gender marker changes and civil rights or discrimination cases.

Community Development Project: This Project serves Clark and Washoe Counties. The staff of the project represents community groups and non-profits, assists them in incorporating and getting their non-profit status, and serves as legal counsel for their projects. The Project is also working with Tenants Organizations on RAD conversion housing projects in Clark County.

Tenants' Rights Center: The Center serves Clark County and provides legal advice and brief service to tenants in private housing in eviction matters.

Senior Law Project: The SLP serves all residents of Washoe County aged 60 and older. There are no income or asset limitations with this Project. The SLP provides legal representation in all the areas of civil law mentioned above.

Senior Legal Helpline: This is a hotline for Seniors across Nevada to use to get answers on any legal topic. The hotline staff will make referrals to the offices if the Senior caller requires legal assistance.

Ryan White Part B Project: This Project provides representation to all Nevadans who have been diagnosed with HIV/AIDS. The Project focuses its work on insurance denials, Medicaid/Medicare denials, estate planning, guardianships and other family law matters, housing discrimination, and other discrimination issues. The Project also provides legal education classes to persons diagnosed with HIV/AIDS and their family members.

Nevada Legal Services has been recognized for its work locally and nationally. In 2015, NLS was awarded first place by the American Bar Association for Best Accomplishments during the 2015 Annual Pro Bono Week. Additionally, NLS has received yearly recognition from the Department of Housing and Urban Development for services to the homeless and victims of foreclosure and from US Vets for participation in the semi-annual Stand Down for Homeless Veterans. Also, Nevada Legal Services has received yearly recognition from Project Homeless Connect for work on the annual Stand Down for the Homeless. Additionally, Nevada Legal Services has received recognition from Communities in Schools for the time volunteered by staff members. Staff members taught elementary students about the law and careers in the law.

Southern Nevada Senior Law Program

The Southern Nevada Senior Law Program (SNSLP) was founded in 1978 to provide free legal services to seniors age 60 and older. The Program was originally sponsored by the City of Las Vegas and operated under the City for more than 30 years. During the recession, the City was forced to suspend its sponsorship of the SNSLP. In order to continue providing these valuable legal services to seniors, the City of Las Vegas worked with the SNSLP to convert to a 501 (c) 3 non-profit organization. The SNSLP transitioned into a successful non-profit on July 1, 2012 with no interruption of services to the senior community. SNSLP is committed to providing free quality legal assistance and advocacy to seniors of Clark County and to enable them to remain independent while protecting their assets and documenting their end of life wishes. Since its inception in 1978, SNSLP has served more than 100,000 seniors in Clark County. SNSLP is the only legal service provider in Clark County that exclusively serves seniors.

The Southern Nevada Senior Law Program offers a variety of legal services to assist senior citizens who often are experiencing health problems, the death of a spouse or loved one, financial distress due to fraud or catastrophe.

The Consumer Assistance Program helps with unresolved consumer protection issues, including everything from unscrupulous business transactions to outright fraud. Senior citizens are frequently targeted by persons who take advantage of trusting persons and the Program is sometimes the only avenue for the senior citizen to recover their money or property. The Consumer Assistance Program also works with housing issues, including HOA concerns and landlord/tenant disputes.

The Estate Planning Program provides seniors with information and assistance in preparing and documenting their end-of-life wishes. For many senior citizens, end-of-life decisions are stressful and scary. Being prepared and understanding what will happen to the estate helps the senior citizen prepare for the future so their affairs will be in order for their survivors.

The Healthcare Program addresses one of the most essential needs for senior citizens and helps address planning in the event of a catastrophic or major medical crisis. The Program assists seniors in preparing a Durable Power of Attorney for Healthcare and Directive to Physician. The documents, if prepared in advance, not only give the senior citizen some comfort in knowing that they will be taken care of but also makes the family, friends, and medical personnel aware of the senior citizen's desires when he or she cannot speak for him/herself.

Other services provided by the Program include assistance in guardianship issues, elder law rights and public entitlements including Social Security. The Program maintains an aggressive outreach program and regularly

conducts seminars at community centers, health fairs and senior complexes. The Program also provides services to homebound clients.

Volunteer Attorneys for Rural Nevadans (VARN)

VARN incorporated in December 1996, with the stated purpose to provide pro bono legal services to low-income residents of rural Nevada, and received 501(c)(3) tax exempt status in 1997. VARN began the Pro Bono Project, providing free legal services to low-income residents of Carson City, Churchill, Douglas, Lyon, Storey, Humboldt, Pershing, Lander, Elko, and White Pine counties. Such legal matters included uncontested divorce, guardianship, name changes, bankruptcy, wills and estate matters, debt collection, foreclosure and simple real property disputes. VARN serves 15 rural counties of Nevada: Carson City, Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, and White Pine. VARN does not serve Clark or Washoe counties.

In 2001, in collaboration with the Nevada Network Against Domestic Violence (NNADV) and others, VARN developed a program to provide free legal services to victims of domestic violence living in rural counties. In 2002, VARN established the Domestic Violence Victim's Assistance Project (DVVAP). DVVAP provides legal services, including direct representation in all 15 rural Nevada counties, on matters that include paternity and child custody, child support, divorce, guardianship, adoption, and representation in protection order hearings.

In 2011, in response to an enormous need for legal services for immigrant victims of domestic violence, VARN created the Domestic Violence Rural Immigrant Integration Project (DVRIIP). As part of this project, in 2012, VARN obtained Bureau of Immigration Appeals (BIA) site recognition and staff accreditation, making it the only agency in rural Nevada to have recognition and accreditation. DVRIIP provides free civil legal services in family based immigration matters and to undocumented victims of domestic violence seeking legal status in the United States through the Violence Against Women Act (VAWA) Self-Petition and U-Visa processes. In 2015, VARN expanded the services provided to also include family law matters.

Located at 904 N. Nevada Street in Carson City, VARN provides free civil legal services to victims of domestic violence through the DVVAP program. Legal services include paternity and child custody, child support, divorce, guardianship, adoption, and representation in protection order hearings. VARN also provides free legal services to immigrant victims of domestic violence through the DVRIIP program. Legal services include assistance with U-Visas, VAWA self-petitions and family law matters.

VARN provides assistance to low-income individuals in uncontested civil legal matters through the Pro Bono Project. Legal services may include, but are not limited to, assistance with divorce, guardianship, name changes, bankruptcy, wills and estate matters, debt collection, foreclosure and simple real property disputes.

Finally, VARN holds Lawyer in the Lobby sessions twice a month in Carson City. Clients may sign up for a 20 minute consultation with a volunteer attorney to discuss their civil legal issue.

In 2015, VARN provided legal services to 2,209 low-income residents and victims of domestic violence in rural Nevada. Of those, VARN provided direct legal services to 602 clients by placing 40 cases in the Pro Bono Project, assisting 375 participants in the Lawyer in the Lobby program, assisting 157 victims of domestic violence through the DVVAP program, and by assisting 30 immigrant victims of domestic violence through the DVRIIP program. VARN provided brief services, counsel & advice, and referral services to the remaining 1,607 clients.

Washoe Legal Services

Washoe Legal Services, Inc. (“WLS”) is a non-profit legal services corporation that has been in continuous existence in Reno, NV since 1965. Its primary office is located at 299 South Arlington Ave., Reno, NV 89501. It also has two small offices in Yerington (Lyon County) Nevada and Elko (Elko County) Nevada.

WLS currently employs twelve full-time attorneys, one part-time attorney, eleven support/administrative staff members and an executive director who maintains a limited active case-load in addition to his administrative responsibilities. WLS also has one contract attorney in Winnemucca (Humboldt County) Nevada. WLS focuses on the following program areas:

- **Child-advocacy:** WLS represents children who have been removed from their parents’ custody and placed into the custody of the Washoe County Department of Social Services or the Nevada State Department of Child and Family Services.
- **Housing/Consumer Protection:** WLS represents and provides advice and counsel to low-income tenants. WLS assists low-income clients with consumer disputes and debt collection issues.
- **Senior Law/Adult Guardianship:** WLS represents disabled adults who are subject to adult guardianship proceedings. It also assists seniors with simple estate planning and will represent seniors in probating/administering small estates.
- **Domestic Violence:** WLS represents domestic violence victims in custody, divorce, and protection order proceedings.
- **Immigration:** WLS assists low-income clients and immigrant victims of crime with a wide-range of immigration matters including obtaining legal status through U-Visas, T-Visas and VAWA Self-Petitions.
- **Self-Help Clinics:** WLS assists self-represented litigants with preparing/filing court forms.

Most of the services WLS provides are limited to residents of Washoe County. However, the Child Advocacy services offered by WLS are also provided in Lyon County, Elko County, Humboldt County and Pershing County. In 2016, WLS will have assist over 7,000 individuals. Approximately 700 clients will be children; almost 400 will be victims of domestic violence; over 700 will be seniors (60+); approximately 700 will be low-income tenants/consumers and approximately 1,200 will be self-represented litigants.

COALITION SUPPORT

Support for the Coalition is provided by several entities through regular statewide legal need oversight, policy development, administrative and financial support. Support for the Coalition includes:

The Nevada Supreme Court Access to Justice Commission (Commission)

Established in 2006, the Nevada Supreme Court Access to Justice Commission is comprised of jurists, attorneys, legal professionals and other community members whose primary focuses are to strengthen access to justice opportunities across the state, identify and address access to justice needs and disproportions and to support institutional legal aid organizations while promoting other legal service opportunities across the state. The Commission supports the Coalition through policy development and access to justice strategic planning, regular statewide legal needs assessment and oversight.

The State Bar of Nevada (the Bar)

Founded in 1928, the State Bar of Nevada in its 2013-2018 strategic plan, lists as a strategic priority the support of access to justice and specifically notes within its plan its intention to promote and support pro bono initiatives through the support the Nevada Supreme Court Access to Justice Commission. The Bar’s support

includes the funding of an Access to Justice Executive Director position that is dedicated to the support of the Nevada Supreme Court Access to Justice Commission. Additionally, the State Bar of Nevada provides financial support for the Commission's annual programming.

The Nevada Bar Foundation (the Foundation)

The Nevada Bar Foundation, incorporated in 1997 as the 501(c)(3) charitable arm of the State Bar of Nevada, serves as the managing organization of the Interest on Lawyers Trust Accounts (IOLTA) Program. Management of the IOLTA Program includes monthly monitoring of fixed interest rate compliance and relationship management with the participating IOLTA financial institutions. The Nevada Bar Foundation annually grants funds raised through the IOLTA Program to legal aid organizations in the state of Nevada. In 2016, \$2,813,917 were granted to fourteen legal services organizations in Nevada; the Coalition of Legal Services Providers members were among the recipients of IOLTA grants in 2016 and every year the program has been in place. Additionally, the Nevada Bar Foundation will undertake the role of fundraiser in the near future. Fundraising efforts will support legal aid service providers in Nevada.

Legal Services Corporation (LSC)

LSC is the single largest funder of civil legal aid for low-income Americans in the nation. Established in 1974, LSC operates as an independent 501(c)(3) nonprofit corporation that promotes equal access to justice and provides grants for high-quality civil legal assistance to low-income Americans. LSC distributes more than 90 percent of its total funding to 134 independent nonprofit legal aid programs with more than 800 offices. Nevada Legal Services is the sole LSC funded organization in the state of Nevada. LSC promotes equal access to justice by awarding grants to legal services providers through a competitive grants process; conducting compliance reviews and program visits to oversee program quality and compliance with statutory and regulatory requirements as well as restrictions that accompany LSC funding, and by providing training and technical assistance to programs. LSC encourages programs to leverage limited resources by partnering and collaborating with other funders of civil legal aid, including state and local governments, Interest on Lawyers' Trust Accounts (IOLTA), access to justice commissions, the private bar, philanthropic foundations, and the business community¹.

County Commissions

The Nevada Legislature enacted laws that provide the financial support of legal aid services in at least seven statutes. Most counties in the state of Nevada have enacted some, if not all of the statutes that direct a portion of filing fees to legal aid organizations. In 2014, more than \$7 million dollars were collected through filing fees in support of legal aid in the state of Nevada.

Various Granting Organizations and Private Donors

Each Coalition member pursues various granting opportunities regularly, including federal and state funding prospects. Additionally, each has developed and maintained relationships with private donors who donate to the legal aid organizations.

¹ Who We Are: What is the Legal Services Corporation? <http://www.lsc.gov/about-lsc/who-we-are>

COALITION SUPPORT



CURRENT LEGAL SERVICES DELIVERY SYSTEM IN NEVADA

For the purpose of this discussion, the current legal services delivery system will address the individual and collective methodologies and relationships of the members of the Coalition of Legal Service Providers. The Coalition of Legal Service Providers consists of nonprofit legal aid organizations that collaborate regularly on issues of funding and delivery of services independently and through the Nevada Supreme Court Access to Justice Commission. Independently, these organizations provide services to hundreds of thousands of Nevada residents annually and in doing so, partner regularly with one another in an effort to meet the demands of statewide legal services needs.

Legal Service Delivery

A commonality among the Coalition of Legal Service Providers' current delivery of service includes an established organizational structure that entails the employ and use of staff attorneys who provide civil legal services in various civil law subject matter areas. Additionally, the structure entails other supportive tools for individuals seeking legal services, including self-help centers, websites, legal forms provisions and assistance.

In addition to services offered by staff attorneys of the programs, four of the five members of the Coalition of Legal Services Providers maintain pro bono programs that recruit, support, train and retain volunteer attorneys. The volunteer attorneys of the pro bono programs assume cases that have been screened and accepted by the legal aid organizations and additionally participate in legal aid clinics and outreach programs that are presented by the Coalition organizations that are not assigned to staff attorneys.

Additionally, regular reviews afford valuable opportunities to examine service delivery challenges. These challenges present themselves through feedback from governmental entities, local and national trends, observation and even reporting from the public. The latest reviews and reporting has exposed service delivery gaps across the state which generally implores additional legal services, including direct representation, self-help services and legal education in rural areas of the state. Additionally, an overlap of legal services in areas of the state has been noted as an additional challenge.

THE NEVADA SUPREME COURT'S AND ACCESS TO JUSTICE COMMISSION'S ROLE IN OVERSEEING THE DELIVERY OF LEGAL AID SERVICES IN NEVADA

The Nevada Supreme Court Commission on Access to Justice is established by Nevada Supreme Court Rule 15 and, as it is relative to the Commission's establishment, provides in pertinent part:

1. Creation, purpose. The supreme court shall appoint a commission on access to justice. The commission shall:
 - (a) Assess current and future needs for civil legal services for persons of limited means in Nevada.
 - (b) Develop statewide policies designed to support and improve the delivery of legal services.
 - (c) Improve self-help services and opportunities for proper person litigants and increase pro bono activities.
 - (d) Develop programs to increase public awareness of the impact that limited access to justice has on other government services and on society.
 - (e) Investigate the availability of and pursue increased public and private financing to support legal services organizations and other efforts to provide legal services to persons of limited means.
 - (f) Recommend legislation or rules affecting access to justice to the supreme court.

The establishment of the Nevada Supreme Court Access to Justice Commission and the defining of its purpose, as captured in Supreme Court Rule 15, provide the Nevada Supreme Court with the authority to

oversee the delivery of legal services in Nevada. Furthermore, through the Access to Justice Commission, the Nevada Supreme Court has the responsibility to improve upon legal service delivery and to ensure thoughtful development of policies and effective delivery of legal services to persons of limited means in Nevada.

THE ACKNOWLEDGMENT AND ADOPTION OF LEGAL SERVICE PROVIDER STANDARDS

The Nevada Supreme Court Access to Justice Commission recognizes institutional legal services providers that have been established to address the civil legal needs of Nevada residents of limited means. Institutional legal services providers are distinguished from other legal services providers by their organizational structure and by the services that are provided by the organizations. In Nevada, the Coalition of Legal Service Providers members are recognized as institutional legal services providers; the Coalition is comprised of: Legal Aid Center of Southern Nevada, Nevada Legal Services, Southern Nevada Senior Law Program, VARN and Washoe Legal Services.

Institutional Service Organizational Structure

Generally, the structure of institutional legal service provider organizations contain a similar, if not the same organizational configuration. Additionally, institutional legal service providers respect similar, if not the same standards of practice, including state and national standards of practice such as the ABA Standards for Providers of Civil Legal Aid to the Poor and the LSC Performance Criteria. Other distinguishing organizational structure characteristics include, the compensation of staff and workload that reasonably enable the provision of uniformly high quality and effective and productive services and the requirement of ongoing training and participation in professional and leadership development activities of all staff that provides, supports or manages civil legal aid.

Hiring practices are closely followed by institutional legal services providers as well. These organizations ensure that an appropriately diverse staff is recruited, trained, supported and supervised and that the staff is provided with the necessary tools, including current technology to provide high quality effective and cost efficient legal services. Additionally, organization management information is transparent and frequently provided to partners and managers of the organization.

Staying current in new legal trends is integral to any practice of law and institutional legal service providers ensure that information about new developments in the law is regularly disseminated to all advocates and managers within the organization. Recognizing the importance of the management of resources, institutional legal services organizations make the most effective use of financial, volunteer and in-kind resources that are dedicated to legal services. Overall, the organizations ensure that services are provided in a cost-efficient manner to maximize access and to limit unnecessary administrative costs and other costs.

Institutional legal service providers recognize the importance of maintaining relationships with legal entities and individuals to facilitate access to justice for all. As such, these providers are supported by an organized bar and by the judiciary as both entities serve as leaders in the legal community and provide guidance to the private sector, legal aid providers, law schools, the executive and legislative branches of government. Further, in its guidance to the legislative branch of government, institutional legal services providers deliver support on state legal issues and also coordinate work accordingly to the affected client community.

Institutional Legal Service Provider Services

Institutional legal service providers employ staff attorneys for their programs much like other law firms. The difference between the institutional legal service provider and many other law firms is that the cases that are assumed by legal service providers are handled at no cost to the client. Staff attorneys could be assigned to a specific area of law or program within the organization or are general staff attorneys and are full time, part time

or contract employees of the organization. Additionally, institutional legal service providers generally have pro bono programs or regularly participate in and/or support pro bono programs. Pro bono programs are centered on the recruitment and retaining of attorneys to accept cases on a voluntary basis. Volunteer attorneys assume the cases and provide the requisite legal services at no charge to the organization or to the client. The legal services organization provides support to the volunteer attorneys in the form of training, mentoring and malpractice insurance coverage.

Partnering with law school programs, including clinics is another defining characteristic of institutional legal service providers as providers regularly support clinical programs through supervision; provide educational opportunities to law students through special events; and allow law students to participate in community legal educational classes. In addition, legal service providers provide regular intern opportunities for law students in their respective organizations.

Institutional legal service providers offer regular legal education workshops for the general public where members of the public are afforded the opportunity to attend regularly scheduled legal classes that address a variety of subjects at no charge. Classes are led by legal service provider organization staff attorneys or pro bono attorneys affiliated with the legal services provider and sometimes include the instructional assistance of law students.

Participation in and support of, self-help centers is another service provided by institutional legal service providers. Self-help centers provide the general public with legal information and forms so that an individual can represent himself in court. Additionally, as it relates to court forms, self-help centers provide assistance with the forms and instructions and referrals to court clerks for filing information. Also, self-help centers provide information on court rules, practices and procedures.

Current Delivery and Allocation of Legal Services

The majority of legal aid services are delivered throughout the state by the Nevada Coalition of Legal Service Providers (the Coalition), which include the following organizations: Legal Aid Center of Southern Nevada, Nevada Legal Services, Southern Nevada Senior Law Program, Volunteer Attorneys for Rural Nevadans (VARN), and Washoe Legal Services. Four of the five Coalition members have active pro bono programs and all of the members conduct regular outreach programming.

Specifically, the Coalition's legal services include:

Legal Aid Center of Southern Nevada (LACSN) is based in Clark County, Nevada and provides all of its services in Clark County. LACSN addresses a variety of legal issues, including appellate and child advocacy issues, special education rights, surrogate program, consumer rights, foreclosure issues, social security and bankruptcy matters, full representation guardianship, domestic violence, divorce, custody, and immigration. In addition to providing full representation services with the aforementioned subject matters, Legal Aid Center of Southern Nevada maintains a pro bono program, a civil law self-help center, family law self-help center, community legal education programs, and Ask A Lawyer sessions.

Nevada Legal Services (NLS) provides services to every county in Nevada and has eight offices across the state. NLS addresses a variety of legal issues including family law and consumer law, education, employment, housing, health, income maintenance, elder law, and Indian Law. In addition to these issues, Nevada Legal Services maintains a pro bono program and provides pro se clinics, community education, client outreach, agency outreach and a senior legal hotline.

Southern Nevada Senior Law Program (SNSLP) is based in Clark County, Nevada and devotes all of its services to senior residents, age sixty and older living in the Clark County area. The Southern Nevada Senior Law Program provides services in estate planning and probate, planning for incapacity and advance directives, long term health care issues, real property, including home owners' associations

(HOA's), foreclosure issues, guardianship issues, consumer, document preparation, private landlord/tenant, social security and public entitlements, prevention of elder abuse and name changes. Additionally, Southern Nevada Senior Law Program regularly conducts community outreach, and maintains geriatric legal clinics, monthly legal seminars, and Ask A Lawyer seminars.

Volunteer Attorneys for Rural Nevadans (VARN) is based in Carson City, Nevada and provides services to residents of all counties except Clark County. VARN provides domestic violence victim's assistance, domestic violence rural immigration integration, immigration as well as other services to clients seeking legal assistance. In addition to these services, VARN provides a monthly lawyer in the lobby clinic in Carson City and various legal fairs in many areas of the state. Also, VARN maintains a pro bono program.

Washoe Legal Services (WLS) is based in Washoe County and provides services to residents of Washoe, Elko, Humboldt, Lander and Lyon Counties. Washoe Legal Services offers services in child advocacy, family law, including domestic violence, immigration, consumer law, private housing, mortgage and foreclosure, bankruptcy, inmate assistance, guardianship, senior services and juvenile transition. In addition to the aforementioned services, Washoe Legal Services maintains a pro bono program and provides regular educational clinics addressing bankruptcy, divorce, TPO, legal forms and referrals for non-case clients.

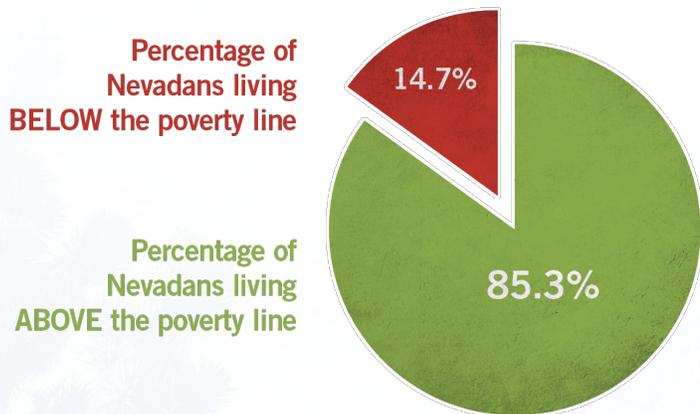
LEGAL SERVICE ORGANIZATION STATEWIDE PRESENCE

				
<p>Clark County</p>	<p>Carson City Churchill County Clark County Douglas County Elko County Esmeralda County Eureka County Humboldt County Lander County Lincoln County Lyon County Mineral County Nye County Pershing County Storey County Washoe County White Pine County</p>	<p>Clark County</p>	<p>Carson City Churchill County Douglas County Elko County Esmeralda County Eureka County Humboldt County Lander County Lincoln County Lyon County Mineral County Nye County Pershing County Storey County Washoe County White Pine County</p>	<p>Elko County Humboldt County Lander County Lyon County Washoe County</p>

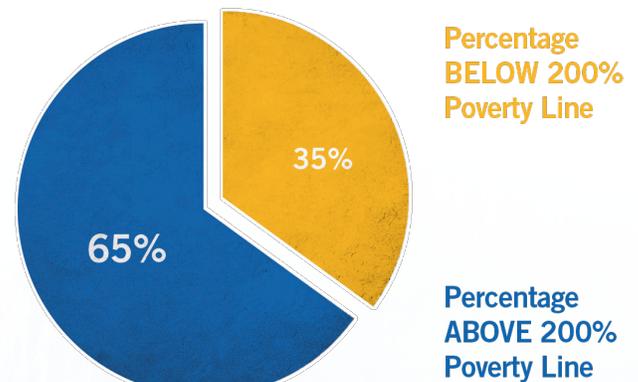
Coordination of Legal Services and Pro Bono Expansion

Effective legal service delivery requires a regular evaluation of service delivery to ensure that legal services are available to residents in all areas of the state. Nevada is 109,781 square miles and had an estimated population in 2015 of 2,700,551. Also, in 2015, Nevada saw a 14.7% poverty rate; there were approximately 426,730 Nevada residents who lived below the poverty level in 2015. As the area of the state is expansive and the population is large, coordination of services is necessary to provide effective legal service delivery to as many residents as possible in as much of the state as possible.

2015 Poverty Percentages²



2015 200% Poverty Percentages in Nevada³



The Coalition of Legal Services Providers utilize the Federal Poverty Guidelines for determination of services. Generally, services are provided for individuals that meet or are very close to the 200% poverty level.

2015 Federal Poverty Guidelines⁴

Household Size	100%	150%	200%	250%
1	\$11,770	\$17,655	\$23,540	\$29,425
2	\$15,930	\$23,895	\$31,860	\$39,825
3	\$20,090	\$30,135	\$40,180	\$50,225
4	\$24,250	\$36,375	\$48,500	\$60,625
5	\$28,410	\$42,615	\$56,820	\$71,025
6	\$32,570	\$48,855	\$65,140	\$81,425
7	\$36,730	\$55,095	\$73,460	\$91,825
8	\$40,890	\$61,335	\$81,780	\$102,255

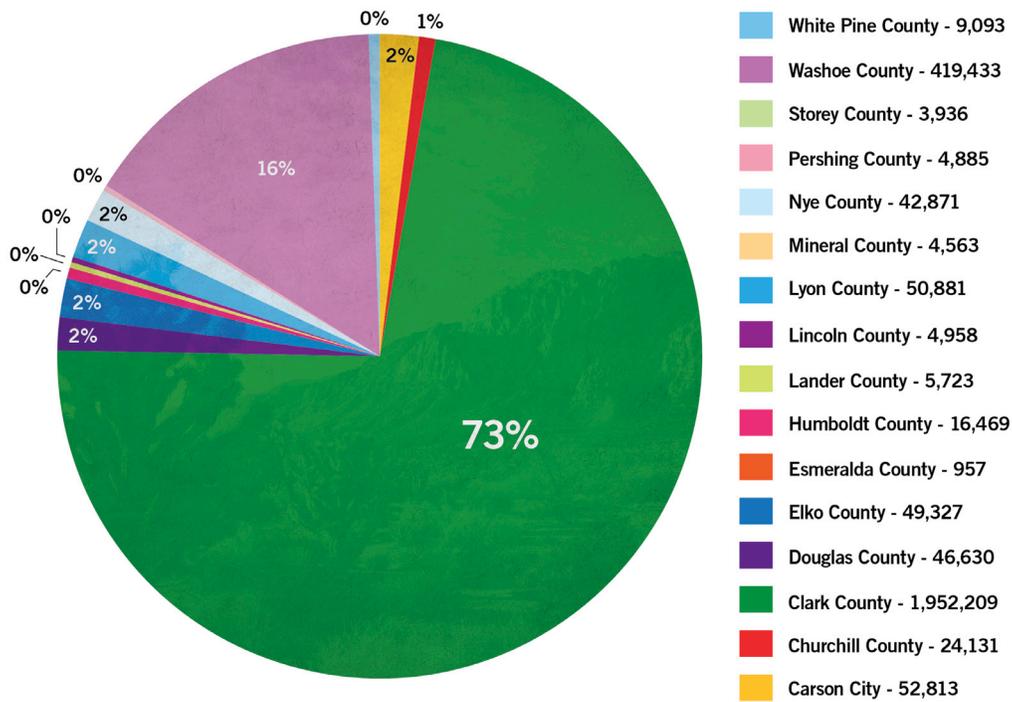
* For families/households with more than 8 persons, add \$4,160 for each additional person.

² United States Census Bureau, Quick Facts, Nevada, <http://www.census.gov/quickfacts/table/PST045215/32>

³ The Henry J. Kaiser Family Foundation, State Health Facts, <http://kff.org/other/state-indicator/population-up-to-200-fpl/?currentTimeframe=0&selectedDistributions=under-200percent&selectedDistributions=200percent&selectedDistributions=total&sortModel=%7B%22collid%22:%22Location%22,%22sort%22:%22asc%22%7D>

⁴ Section 673(2) of the Omnibus Budget Reconciliation Act (OBRA) of 1981 (42 U.S.C. 9902(2)) requires the Secretary of the Department of Health and Human Services to update the poverty guidelines at least annually, adjusting them on the basis of the Consumer Price Index for All Urban Consumers (CPI-U). The poverty guidelines are used as an eligibility criterion by the Community Services Block Grant program and a number of other Federal programs. The poverty guidelines issued here are a simplified version of the poverty thresholds that the Census Bureau uses to prepare its estimates of the number of individuals and families in poverty

NEVADA POPULATION BY COUNTY 2014



SERVICE DELIVERY ZONES

The Access to Justice Commission’s Coalition of Legal Service Providers has identified the need to eliminate or reduce the duplication of services through the creation of service zones. The service zones encompass one or more counties and employ the services currently offered by legal aid organizations including the 287 full time and 5 part time attorneys employed by the Coalition. Further, the creation of service zones provides opportunities for the Commission to examine ways that areas of services could be merged or allocated among existing legal service organizations, if needed. The service zones are established geographically and by current existing legal organizational presence.



Zone 1 – Washoe County

Zone 1 is currently serviced by Nevada Legal Services, VARN and Washoe Legal Services and with many, if not all direct representation service areas providing: child advocacy, consumer, domestic violence, education, elder law, employment family law, guardianship, health, housing, immigration, income maintenance, Indian Law, inmate assistance, juvenile transition and general legal services. In addition to the above services, Zone 1 has pro bono programs, pro se clinics, community education, client outreach, agency outreach and a senior legal hotline.



Zone 2 – Carson City, Storey, Douglas and Churchill Counties

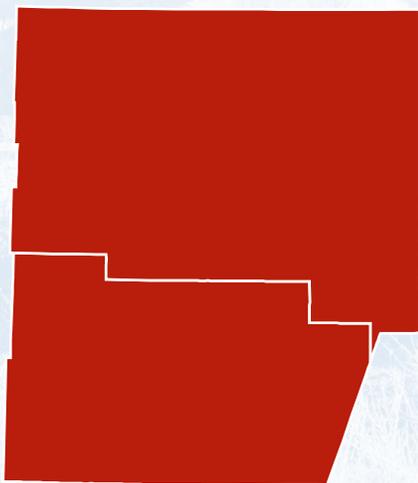
Zone 2 is currently serviced by Nevada Legal Services and VARN. Direct representation service areas provided in Zone 2 include consumer, domestic violence rural immigrant integration, education, elder, employment, family, health, housing, immigration, income maintenance and Indian law.

Additionally, pro bono programs are available in Zone 2.



Zone 3 – Lyon and Mineral Counties

Lyon County is currently serviced by Nevada Legal Services, VARN and Washoe Legal Services while Mineral County is currently serviced by Nevada Legal Services and VARN. Direct representation service areas provided in Zone 3 include child advocacy, consumer law, domestic violence rural immigrant integration, domestic violence victim's assistance, education law, elder law, employment law, family law, health law, housing law, immigration, income maintenance, and Indian Law. Also, pro bono programs, pro se clinics, community education, client outreach, agency outreach, and legal aid fairs are available in Zone 3.



Zone 4 – Humboldt and Pershing Counties

Humboldt County is currently serviced by Nevada Legal Services, VARN and Washoe Legal Services and Pershing County is currently serviced by Nevada Legal Services and VARN. Service areas provided in Zone 4 include child advocacy, consumer law, domestic violence victim's assistance, domestic violence rural immigrant integration, family law, education law, elder law, employment law, housing law, health law, immigration, income maintenance, and Indian law.

Additionally, pro bono programs, pro se clinics, community education, client and agency outreach, legal aid fairs, and a senior legal hotline, are services available in Zone 4.



Zone 5 – Esmeralda, Nye and Lincoln Counties

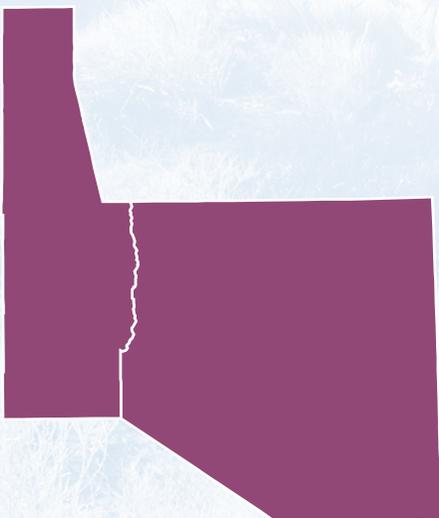
Esmeralda, Nye and Lincoln Counties are currently serviced by Nevada Legal Services and VARN. Direct representation service areas provided in Zone 5 include domestic violence victim's assistance, domestic violence rural immigrant integration, education, elder law, employment law family law, consumer law, health law, housing law, income maintenance, and Indian Law.

In addition to direct representation, pro bono programs, pro se clinics, community education, client and agency outreach and a senior legal hotline are available services in Zone 5.



Zone 6 – Elko and Lander Counties

Elko and Lander Counties are currently serviced by Nevada Legal Services, VARN and Washoe Legal Services. Direct representation service areas in Zone 6 include child advocacy, consumer law, education, domestic violence victim's assistance, domestic violence rural immigrant integration, elder law, family law, employment, health, housing, immigration, income maintenance, and Indian Law. In addition to direct representation, pro bono programs, pro se clinics, community education, client and agency outreach, and a senior legal hotline are available services in Zone 6.



Zone 7 – Eureka and White Pine Counties

Eureka and White Pine Counties are serviced by Nevada Legal Services and VARN. Direct representation service areas in Zone 7 include consumer law, domestic violence victim's assistance, domestic violence rural immigrant integration, education, elder law, employment law, family law, health law, housing law, immigration, income maintenance and Indian law. In addition to direct representation, pro bono programs, pro se clinics, community education, client and agency outreach and a senior legal hotline are available services in Zone 7.



Zone 8 – Clark County

Clark County is serviced by Legal Aid Center of Southern Nevada, Nevada Legal Services and Southern Nevada Senior Law Program. Direct representation service areas in Zone 8 include appellate, bankruptcy, child advocacy, consumer rights, custody, divorce, domestic violence, employment, estate planning and probate, foreclosure, full representation guardianship and guardianship issues, health, housing, immigration, incapacitation planning and advanced directives, income maintenance, Indian law, long term health care issues, private landlord/tenant, prevention of elder abuse and name changes, public entitlements, real property, social security, special education rights and a surrogate program.

In addition to direct representation, pro bono programs, pro se clinics, community education, client and agency outreach, document preparation, geriatric clinics, civil and family law self-help centers and a senior legal hotline are available services in Zone 8.



LEGAL SERVICE DELIVERY ZONES

Service Zones

- ZONE 1 - Washoe County
- ZONE 2 - Carson City, Churchill, Douglas, and Storey Counties
- ZONE 3 - Lyon and Mineral Counties
- ZONE 4 - Humboldt and Pershing Counties
- ZONE 5 - Esmeralda, Lincoln and Nye Counties
- ZONE 6 - Elko and Lander Counties
- ZONE 7 - Eureka and White Pine Counties
- ZONE 8 - Clark County

IDENTIFYING AND ADDRESSING GAPS IN LEGAL SERVICE DELIVERY

Though thousands of Nevada residents are provided with legal services annually, regular reviews reveal pockets of geographic or subject matter areas that are not addressed for various reasons. In order to regularly identify and address unmet needs, the Nevada Coalition of Legal Service Providers, in conjunction with the Nevada Supreme Court Access to Justice Commission, will conduct an annual review of service delivery opportunities and unmet needs, as well as methods for addressing the unmet legal needs.

In addition to regular reviews of unmet legal needs, a comprehensive study of civil legal need in Nevada is imperative to ensure access to justice for all residents. The findings that are compiled through a formal civil legal needs study are designed to guide how, where, by and to whom legal services are delivered. Nevada was very fortunate to have a comprehensive civil legal needs study completed in 2008 and the Nevada Supreme Court Access to Justice Commission is prepared to sponsor another study to begin in 2017. The 2008 study compared with the new study will offer a comparison of how services are delivered as well as service delivery trends. Additionally a new civil legal needs study will highlight service delivery gaps that the current service delivery plan may have missed.

IMPROVING RURAL CLIENT SERVICE DELIVERY

Nevada is comprised of seventeen counties, of which, in 2014, thirteen counties had populations of 50,000 or less. The Nevada Supreme Court Access to Justice Commission, in its effort to ensure that all Nevadans have the opportunity to take full advantage of access to justice programs, have identified rural client service as a priority in access to justice initiatives. Currently, three members of the Coalition of Legal Service Providers regularly deliver legal services to residents of the rural counties of the state: Nevada Legal Services, VARN and Washoe Legal Services. A regular practice of these organizations includes travel to rural areas of the state in order to provide legal services on a consistent basis so that the residents there will grow to rely upon the organizations' regular presence. Regular travel to these areas consumes a great deal of time and financial resources and as such, the Coalition regularly devises new and inventive means for addressing the legal services needs in these areas of the state. For example, legal fairs are conducted in rural areas of the state at least twice a year and Nevada Legal Services has undertaken a pro bono by phone program that is specifically designed for rural pro bono participation.

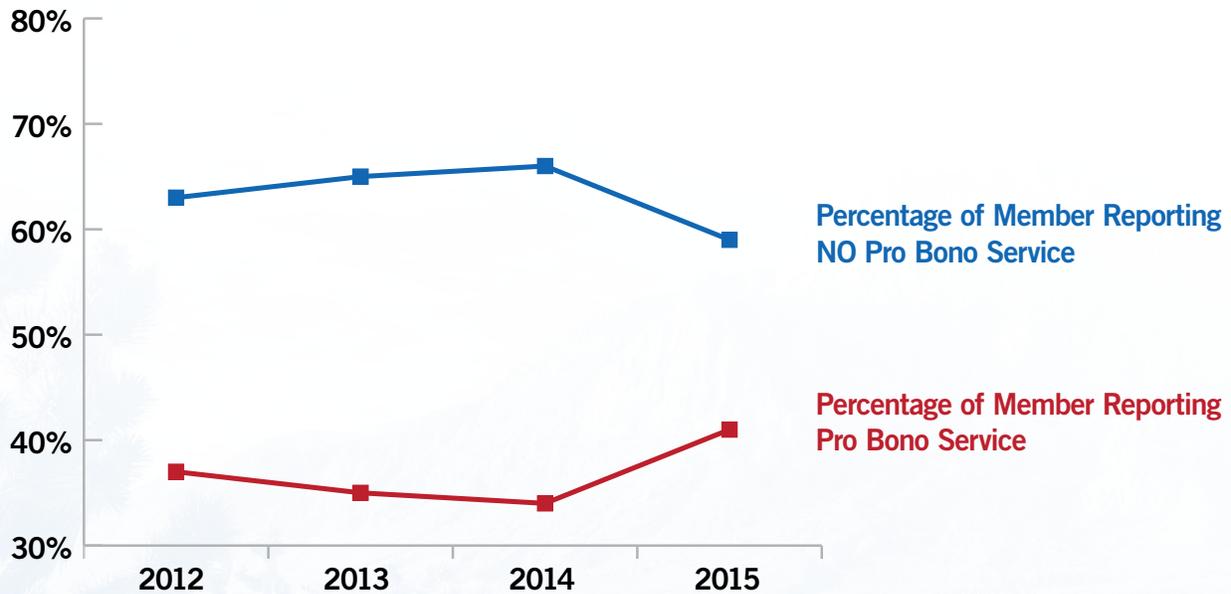
An additional challenge with rural client service delivery rests with the available resources in these areas of the state. Such resources may not exist or be as available compared to the urban areas of the state. In response, the Nevada Supreme Court Access to Justice Commission continues to work closely with the state's judicial districts to support those areas in need of resources. Explored assistance has included the bolstering of self-help programs, including forms websites and increased self-help clinics as well as the strengthening of court infrastructure that will provide direct assistance to those who seek legal services assistance.

COORDINATION OF LEGAL AID ORGANIZATION COMMUNICATIONS

Effective communication is a foundational necessity for any plan. Each member of the Coalition of Legal Services Providers has utilized its own communication plans to promote their services, recruit volunteers and donations and to educate the Bar as to the continuing need for legal services in the state. Talks among the participating organizations and regular volunteers revealed that a coordinated communications approach is necessary to avoid overwhelming potential donors, volunteers and other members of the Bar and is necessary to avoid confusion where possible. Two communications avenues have been adopted in an effort to address the concerns: (1) a sustainable pro bono marketing plan; and (2) a specialized pro bono marketing plan.

The sustainable pro bono marketing plan includes a concentrated focus that each member of the Coalition

will adopt and promote among the members of the Bar. The ONE Promise Nevada Campaign and the Inspire One Initiative (The Ambassador Program) serve as components of the sustainable pro bono marketing plan adopted by the Coalition. Implemented in 2013, the ONE Promise Nevada Campaign encourages all members of the Bar to either assume one pro bono case, or participate in one legal clinic, or donate to the ONE Promise Nevada Campaign, or all of the above. With each member of the Coalition promoting the same program and communicating the same message, Nevada saw a gradual increase in pro bono participation. Prior to the implementation of the program, 37% of the Bar reported having provided pro bono in 2012; at the conclusion of 2015, 41% of the membership reported providing pro bono.



Further, over the course of the ONE Campaign, the Coalition has tracked the number of attorneys who participated in pro bono for the first time. The tracking of new attorneys proved to be a very important factor in deciphering whether the ONE Campaign message was being communicated well among the members. Between 2014 and 2015, the Nevada Supreme Court Access to Justice Commission saw 634 new attorneys that were recruited to provide pro bono service.

The Inspire One Initiative (the Ambassador Program) was initiated in 2015. Inspire One recruits the assistance of Bar members who are dedicated to pro bono volunteerism and asks that each serve as a pro bono “Ambassador” to assist with pro bono volunteer recruitment. The theory behind the development of the initiative was that new voices that are similarly situated with other Bar members were needed to educate and encourage their counterparts to provide pro bono services instead of the regular promoters to which so many Bar members have become accustomed. Both the ONE Promise Nevada Campaign and the Inspire One Initiative serve as marketing programs that are inclusive and sustainable.

In addition to a sustainable pro bono marketing plan, the Nevada Supreme Court Access to Justice Commission recognizes the need for specialized pro bono marketing that is designed to reach specific Bar membership groups such as practice sections and specialty bar associations. Discussions with Ambassadors have provided insight into the success or lack thereof of the pro bono message to attorneys who are not regularly involved with pro bono participation. Specifically, Ambassadors, who are members of these specialized groups, noted among other things, that reaching out to cultural and ethnic groups would be helpful and that working through county bar associations and State Bar of Nevada Practice Sections would be

welcomed. As a result of the feedback, the Nevada Supreme Court Access to Justice Commission, through the Coalition has made pro bono volunteerism outreach to specialized groups a priority and will implement the following outreach methods to these organizations:

1. Conduct at least one regular meeting with practice section leadership to discuss access to justice and pro bono needs in Nevada. The meeting will include an appeal to the group for volunteer or financial support;
2. Dedicate regular meetings to specialty bar leadership to discuss access to justice and pro bono needs in Nevada.
3. Include specialty bar leadership in outreach and educational activities, including Ambassador Lunches. Outreach will include specialized presentations geared toward how specialty bars can assist, including proposals for pro bono training and specialty bar pro bono events.

ENHANCEMENT AND COORDINATION OF PRO BONO SUPPORT

The Nevada Supreme Court Access to Justice Commission has been fortunate to have developed long-standing relationships with many members of the State Bar who are dedicated to volunteering their time or donating other resources to the support of pro bono services in Nevada. However, in order to ensure that pro bono support not only continues, but also increases, it is imperative that existing programs and partnerships are strengthened and new pro bono concepts are developed.

The ONE Promise Nevada Campaign and the Inspire One Initiative are efforts that have been successful in promoting pro bono volunteerism across the state. Pro bono efforts could benefit significantly with an adjustment of the existing programs to include a rededication by the Coalition to the programs as well as a reintroduction of the programs to the Bar membership. The purpose of the rededication and the reintroduction would be to eliminate any staleness associated with the programs that has developed over the time that the programs have been in effect. Developing nuances of the programs or directing new focuses of each program may serve to preserve the original programs while maintaining a unified push from the Coalition to increase pro bono participation among the Bar membership and among specialized groups within the Bar.

The government attorney faction of the Bar membership historically has had low pro bono participation despite attempts to engage the group in more pro bono participation. The low participation may be partially attributed to an enduring misconception of an agency imposed inability of government attorneys to engage in pro bono service, despite the enactment of a statute that speaks directly to a government attorney's ability to do so:

NRS 7.065 Representation of indigent persons by attorneys in public employment. Except otherwise provided by a specific statute, any attorney employed by the State of Nevada or any agency or political subdivision of the State may represent an indigent person in any proceeding if:

1. The attorney first receives the permission of his or her supervisor, if any, to represent the person in that proceeding;
2. The interests of the indigent person in that proceeding do not conflict with the interests of the State or the attorney's employer;
3. The representation is provided through or in association with an organization that provides free legal assistance to the indigent persons; and
4. The attorney receives no compensation for the representation.

(Added to NRS by 1989, 201)

Moreover, to directly address the misconception, the co-chairs of the Nevada Supreme Court Access to Justice Commission have had conversations with leading governmental officials to directly address the pro bono participation of government attorneys. The conversations led to the drafting of an attorney supplement for inclusion in the Nevada Attorney General Policy Manual:

2.6 Pro bono representation

The Office of the Nevada Attorney General strongly encourages pro bono legal service as an aspirational goal of all attorneys. While Nevada law generally prohibits the private practice of law by deputies attorney general, an exception exists for the representation of an indigent person if: 1) the attorney receives permission to represent the indigent person from his or her supervisor, 2) the interest of the indigent person do not conflict with the attorney's employer, 3) the representation is provided through an organization that provides free legal assistance to indigent persons, and 4) the attorney receives no compensation for the representation. Attorneys may request permission to provide pro bono representation by completing and submitting the appropriate form to the Chief of Staff. See Appendix G. All pro bono work must be performed while the attorney is not on duty, and use of any State office equipment must conform to the limited personal use guidelines outlined in section 6.1.1 of the AG Policy Manual. Because pro bono work is performed while the attorney is not on duty, such time is not tracked through the Office's attorney timekeeping system.

See RPC 6.1 (emphasizing that "[e]very lawyer has a professional responsibility to provide legal services to those unable to pay," and setting forth aspirational goals); NRS 228.080(3) (deputies attorney general prohibited from the private practice of law except as authorized by statute); NRS 7.065 (authorizing State attorneys to represent indigent persons in certain circumstances); NAC 284.766 (providing that a State employee shall "devote his or her full time, attention and efforts to state employment" while on duty).

In addition to the work done by the Nevada Supreme Court Access to Justice Commission co-chairs, other members of the Commission regularly work with governmental agencies to encourage more participation among those employees. Though the Commission values the strides made in changing the perception of pro bono work within government agencies, greater exposure to pro bono opportunities is needed to encourage even more government participation. Further, in order to make pro bono opportunities more accessible, adjustments such as the organization of regular recruitment events geared specifically to government attorneys can be made to support this particular group. Further, the development of opportunities where the Commission and government agencies can partner is key to educating this faction of attorneys of available pro bono opportunities.

The UNLV William S. Boyd School of Law and the Nevada Supreme Court Access to Justice Commission, and specifically, the Coalition, have a long history of working together to achieve access to justice initiatives. Boyd School of Law regularly provides input, insight and support to statewide access to justice initiatives as the school and the school's Public Interest Law Association (PILA) hold seats on the Nevada Supreme Court Access to Justice Commission. Additionally, the Coalition has partnered with Boyd School of Law on regular events such as clinical participation and community class instruction, and Boyd Law School students regularly serve as interns in offices of some of the Coalition members.

The UNLV William S. Boyd School of Law has been instrumental in creating a foundation for pro bono service and public interest law among its students by introducing the topics as early as the students' entry into law school and by reinforcing the concept throughout their tenure there. Also recently, the school furthered its dedication to the support of pro bono service and public interest law by establishing the Public Interest Law Advisory Board. The Board convenes quarterly to discuss ways in which the law school can not only support existing programs, but also ways that the law school can develop programs to assist with the need.

The Nevada Supreme Court Access to Justice Commission's further support of and partnering with the law school builds relationships with young attorneys, reinforces early in their careers the need to make pro bono participation a part of their professional lives and provides further exposure to the great need for support of pro bono participation. The Commission will seek to partner with the UNLV William S. Boyd School of Law to develop more opportunities for students to learn the many facets of the pro bono service, including the development of more exposure to members of the judiciary who promote pro bono services while developing a place for law students to more actively serve on statewide access to justice initiatives and pursuits. Additionally, the Nevada Supreme Court Access to Justice Commission recognizes the tremendous value that law students can bring to the introduction of creative practice styles, including electronic legal practice trends that are emerging.

Electronic legal services delivery is a growing trend within the country which is due to the vast use of online services and the use of smartphones. A study conducted by the Pew Research Center on U.S. Smartphone Use in 2015 revealed that nearly two-thirds of Americans now own a smartphone and 19% rely to some degree on a smartphone for accessing online services and information and for staying connected to the world around them. The Pew Research Center, a nonpartisan American "fact tank" based in Washington, D.C. provides information on social issues, public opinion, and demographic trends shaping the United States and the world through public opinion polling, demographic research, media content analysis and other empirical social science research. Findings from this report provided that 15% of Americans ages 18-29 are heavily dependent on a smartphone for online access; 13% of Americans with an annual household income of less than \$30,000 per year are smartphone-dependent; and 12% of African-American and 13% of Latinos are smartphone-dependent compared with 4% of whites. Lastly, the report provides that 43% of smartphone owners used their phones to look up information about a job, 40% used their phones to look up government services or information while 30% used their phone to take a class or get educational content⁵. Recognizing the extensive use of technology and particularly the use of smartphones for the completion of regular, everyday tasks, the Nevada Supreme Court Access to Justice Commission has found it a priority to investigate technological methods as a means for furthering access to justice.

The Nevada Supreme Court Access to Justice Commission introduced the concept of providing legal services via technological means several years ago. However, consumer feedback at the time supported a preference for a live person. As technology has emerged as a vehicle for the completion of many regular tasks, consumer opinion regarding online pro bono services may have changed. The American Bar Association and other groups have endorsed the use of an online pro bono program to reach more individuals in need of legal services and other organizations have developed the same. The Nevada Supreme Court Access to Justice Commission has undertaken the role of researching how these programs will benefit those in need of legal services and how existing legal services programs in Nevada will be affected by such programs. Further, the Commission will examine which technological programs best fit the legal services model in Nevada.

STRENGTHENING AND COORDINATION OF STATEWIDE SELF HELP SERVICES

Self-help services in Nevada have served a tremendous role in the delivery of legal services to those in need. For example, legal services websites that provide tools for consumers who choose to represent themselves are in place across the state. These websites include issue and judicial district specific court forms and information, court programs and even referral information. Moreover, the Nevada Supreme Court has established a forms database on its website that includes a comprehensive list of issue and judicial district specific forms. Additionally, self-help centers are established and active in the 2nd Judicial District, Washoe

⁵ Pew Research Center, April, 2015. "The Smartphone Difference" Available at: <http://www.pewinternet.org/2015/04/01/us-smartphone-use-in-2015/>

County and in the 8th Judicial District, Clark County. In 2015, Washoe County assisted 12,913 people through the self-help center and in Clark County, 54,498 people were assisted in the Civil Law Self Help Center and 42,401 people were assisted in the Family Law Self Help Center. An examination of access to justice challenges across the state, which included feedback from judges in the rural areas of the state, revealed that more self-help services would benefit consumers who do not have access to regular legal services. A further analysis into the development of additional self-help services revealed additional challenges that the Commission designates as a priority in supporting existing self-help services and in establishing new connections to self-help services.

An assessment of existing self-help websites for the information and services that are currently provided is an important step in the development of enhanced or additional online self-help services. The assessment will provide direction on how the Commission wants to move toward the development of new websites or perhaps the replication of an existing website in various venues. Additionally, assessments will ensure that all sites have some commonality as to the services provided.

The Commission considered the advantages and disadvantages of establishing a system hub to connect various self-help websites across the state. Again, included in the consideration was valuable feedback from the judiciary in most areas of the state. Discussion among the judiciary and the Commission addressed the advantage of promoting uniformity across the state so that every resident would have access to these particular self-help tools. Additionally, a system hub would provide support to participating counties, particularly smaller or more rural counties. Lastly, the linkages to a system hub would promote the collaborative efforts of the judiciary and the Nevada Supreme Court Access to Justice Commission so that all entities are united in access to justice priorities. While many thought that the idea of establishing a central hub for a statewide self-help website portal would be a positive move toward access to justice for all, it has become evident that challenges exist that would prevent a rapid movement in that direction. Judicial districts have been found to maintain various operating systems that are not compatible and further, some smaller judicial districts may not have the infrastructure to support a transition to an existing hub system or may not have the resources to change the system so that a transition can be made in the near future. With the challenges in mind, the Commission decided to start on a small scale to develop self-help websites in areas that have little or no self-help online tools in place. The development of the additional self-help websites has begun with a study of an existing self-help website and is then followed up with the modification of the website to meet the local needs of a judicial district that has no self-help website. It is the Commission's intent to encourage other judicial districts without online self-help services to follow and develop such a website in those respective areas of the state.

As it relates to self-help centers, there are three in the state that regularly provide services to several thousand residents annually. Much like existing self-help websites, an assessment of existing self-help centers will assist greatly with the promotion of uniformity so to ensure that existing centers have some commonality in the services provided to the consumers. Additionally, the creation of new centers in areas of the state, particularly in smaller areas of the state, is a goal of the Commission. Moreover, the Commission has established a subcommittee to study the establishment of new centers across the state and to create a plan for executing such. The Commission will continue to support the work of the subcommittee in establishing this goal.

The Adoption of a Business Plan for the Protection of Existing Filing Fees, Procurement of New Filing Fees and Allotment of Filing Fees

Legal services receive financial support through the donation of county filing fees. Statutes authorizing the donations provide for county commissions to impose an additional filing cost to aid in the expenses of proving pro bono programs and of providing legal services to children, the less advantaged and victims of domestic violence. The financial support is codified through the following Nevada Revised Statutes: NRS 4.071; NRS 19.0302; NRS 19.031; NRS 19.0312; NRS 19.0335; NRS 107.080 and NRS 247.305.

STATUTORY FILING FEE PROVISIONS SUPPORTING PROGRAMS FOR LEGAL SERVICES

<p style="text-align: center;">NRS 4.071 <i>Additional fees to offset costs of providing pro bono programs and free legal services to certain victims.</i></p>	<p>County Commissioners may impose by ordinance a filing fee to offset a portion of the costs providing pro bono programs and of providing legal services without a charge to abused or neglected children and victims of domestic violence to be remitted to the organizations operating the program for legal services that receives the fees charged pursuant to NRS 19.031.</p>
<p style="text-align: center;">NRS 19.0302 <i>Additional fees in civil actions: Special account for benefit of district court; certain amount to be remitted to organization that operates legal services in larger counties</i></p>	<p>In a county whose population is less than 100,000, support legal services to the indigent and to be used by the organization operating the program for legal services that received the fees charged pursuant to NRS 19.031 for the operation of programs for the indigent.</p>
<p style="text-align: center;">NRS 19.031 <i>Additional fees in civil actions: Programs for legal aid</i></p>	<p>Additional fees in civil actions; programs for legal aid (Indigent/Elderly).</p>
<p style="text-align: center;">NRS 19.0312 <i>Additional fees in civil actions: Pro bono programs and programs for abused or neglected children and victims of domestic violence.</i></p>	<p>Additional fees in civil actions; pro bono programs and programs for abused or neglected children and victims of domestic violence.</p>
<p style="text-align: center;">NRS 19.0335 <i>Additional fees in civil action involving multiple parties</i></p>	<p>Additional fees in civil action involving multiple parties [Effective through December 31, 2014, and after that date unless the provisions of Senate Joint Resolution No. 14 (2011) are approved and ratified by the voters at the 2014 General Election.] (Indigent/Elderly)</p>
<p style="text-align: center;">NRS 107.080 <i>Trustee's power of sale: Power conferred; required notices; contents of notarized affidavits; effect of sale; circumstance in which sale must be declared void; civil action for noncompliance with certain requirements; duty to post; duty to record; fees</i></p>	<p>Trustee's power of sale – (Sub. 11c – A fee of \$5 to be paid over to the county treasurer on or before the fifth day of each month for the preceding calendar month. The county recorder may direct that 1.5 percent of the fees collected by the county recorder pursuant to this paragraph be transferred into a special account for use by the office of the county recorder. The county treasurer shall remit quarterly to the organization operating the program for legal services that receives the fees charged pursuant to NRS 19.031 for the operation of programs for the indigent all the money received from the county recorder pursuant to this paragraph.)</p>
<p style="text-align: center;">NRS 247.305 <i>Fees: Amount; collection; disposition of excess payment; payment to county treasurer</i></p>	<p>Fees: Amount; collection; disposition of excess payment; payment to county treasurer (Sub. 4: Fees: Amount; collection; disposition of excess payment; payment to county treasurer)(Sub. 4: A board of county commissioners may, in addition to any fee that a county recorder is otherwise authorized to charge and collect, impose by ordinance a fee of not more than \$3 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing. A county recorder shall not charge the additional fee authorized by this subsection for recording an originally signed certificate of marriage described in NRS 122.120. On or before the fifth day of each month, the county recorder shall pay the amount of fees collected by him or her pursuant to this subsection to the county treasurer. On or before the 15th day of each month, the county treasurer shall remit the money received by him or her pursuant to this subsection to the organization operating a program for legal services for the indigent that receives the fees charged pursuant to NRS 19.031 to be sued to provide legal services for abused and neglected children.</p>

EXISTING FILING FEE ALLOCATIONS

Currently, the members of the Coalition of Legal Service Providers receive filing fee funding from several Nevada counties:



Carson City		NRS 19.031		NRS 19.0312	
Churchill County		NRS 19.031			
Clark County	NRS 4.071 NRS 19.0302 NRS 19.031 (4)(a)1 NRS 19.031 (4)(b) 1 NRS 19.0312 NRS 107.080 NRS 247.305 NRS 19.0335(2)(b)(1)		NRS 19.031 (4)(a)(2) NRS 19.031 (4) (b)(2) NRS 19.0335 (2)(b)(2)		
Douglas County		NRS 19.031			
Elko County		NRS 19.0302 NRS 19.031			
Esmeralda County					
Eureka County		NRS 19.031			
Humboldt County		NRS 19.031 NRS 19.0335 NRS 107.080			
Lander County					
Lincoln County					
Lyon County		NRS 19.031		NRS 19.031	
Mineral County					
Nye County		NRS 19.031 NRS 19.0335 NRS 107.080			
Pershing County		NRS 19.031 NRS 19.0335 NRS 107.080			
Storey County		NRS 19.031 NRS 19.0335 NRS 247.305			
Washoe County					NRS 19.031 NRS 247.305 NRS 107.080 NRS 4.071 NRS 19.0312 NRS 107.080
White Pine County					

The allocation of the funding is a result of:

1. The approval of the funding through the enactment of an ordinance **and**
2. The Coalition members' petition of the individual county commission to allocate the funding to their respective programs.

Some of the allocations have been in place since the provisions of the statutes were enacted, while other allocations happened as late as two to three years ago. Further, Coalition members have historically collaborated on divisions of filing fees in counties where services are provided by more than one legal aid organization. In the spirit of maintaining the collaboration, existing filing fee divisions were revisited to ratify the original agreements among the organizations. Upon re-examination, no objections regarding divisions were raised among the Coalition members and as such, the existing division agreements among the members stand.

CONTINUATION OF FILING FEE STRUCTURE

In addition to the continued agreement among the members of the Coalition, the members found it important to display support of the existing filing fee structure and to demonstrate support of each other to Nevada counties. Moreover, an endorsement by the Nevada Supreme Court Access to Justice Commission is imperative in maintaining the agreements with the counties as well. The Commission's endorsement of the Coalition serves as notice that the work completed by the Coalition members is a part of a greater process that has examined the needs of the communities and provided a plan for addressing existing legal services issues. The Nevada Supreme Court Access to Justice Commission will support the continuation of the filing fee structures by providing the counties with an annual report of statewide legal services to the county commissions and to the members of the judiciary whose judicial district is seated in those particular counties. The annual report will serve as an educational instrument for the counties and its elected officials as well as encouragement for allocating more available funds to the Coalition.

Should a suggestion to amend an allocated filing fee structure, or a question or concern arise from a county commission or other governmental entity regarding existing filing fee allocations, those suggestions or concerns shall be presented to the Coalition members and to the Nevada Supreme Court Access to Justice Commission. Upon receipt of the reported concern and all supporting documentation, the Commission will evaluate the course of action to be taken to address the concern with the commission or entity. A concerted effort to continue the existing filing fee funding is critical to the financial stability of the Coalition. The procurement of new filing fees and other filing fees in counties where there is no established structure is important as well.

COORDINATION OF FILING FEE PETITION PROCESS

As funding for legal services programs remains a very important part of addressing needs across the state, it is vital that efforts are made to benefit from all types of fees that are in place, but not allocated. Of the seventeen Nevada counties that are able to support legal services, and particularly, the Coalition of Legal Service Providers, through filing fees assessments, only nine currently do so. Additionally, of all of the counties, one county collects all seven of the available filing fee assessments, while the other sixteen counties do not have ordinances in place to collect and assess the funds. The Nevada Supreme Court Access to Justice Commission has recognized that there are extremely limited dollars available for legal services funding and obtaining those dollars is very competitive. Thus, the Commission and the Coalition of Legal Service Providers identifies the petition for existing filing fees and other fees a priority for continued financial sustainment of legal services in Nevada.

The coordinated petition of county commissions for filing fees is imperative to maintaining effective collaboration among the members of the Coalition of Legal Service Providers. Thus, members have determined that effective communication with each other and with the Commission is key to maintaining the partnership they currently enjoy and as such, the members of the Coalition will closely examine the existing filing fees and other fees that are not currently assessed to determine how, when and by whom the fees will be pursued. Upon a Coalition member's determination that it will pursue an existing filing fee, or other existing fee, that member will provide written notification of its intent to the other Coalition members at least ninety days in advance. In the event there is a dispute for the pursued fees, the basis for the dispute and all good faith efforts to resolve the dispute will be communicated, in writing to the remaining Coalition members, to the Subcommittee on Funding and to the co-chairs of the Commission. In the event the dispute cannot be resolved by further discussions, the matter will be placed on the next Access to Justice Commission meeting for discussion and vote.

REVIEW PROCESS FOR AMENDMENT OF FILING FEE PLAN

Legal services funding from filing fee allocations serve as consistent support for members of the Coalition and as such, any allocation adjustment must be carefully considered. Annually, the Coalition of Legal Service Providers will review existing allocations as well as fees that are not specifically allocated to the Coalition for consideration of:

1. Determination of fee provisions that are not enacted by ordinance and a plan to petition for such;
2. Petition of fees (with timetable) that are not allocated to a Coalition member;
3. Re-allocation of existing fees to another Coalition member; or
4. In the case of a historical division among Coalition members, reconsideration of the division of filing fees.

The review will result in a report prepared by the Coalition of Legal Service Providers and will be provided to the Nevada Supreme Court Access to Justice Commission for review and acceptance at the final meeting of the year.

THE IDENTIFICATION OF NEW FUNDING RESOURCES, THE ALLOCATION OF FUNDING RESOURCES AND THE PROCESS FOR NEW LEGAL AID COALITION APPLICATIONS

Identification and Allocation of State and Federal Funds

The identification of new funding sources is vital to maintaining consistent annual budgets and to assuring support for program enhancement and development. As funding for legal services is limited and very competitive, the identification of new funding sources is essential for present sustainment and future growth. As such, the Nevada Supreme Court Access to Justice Commission has established the Subcommittee on Funding, which is dedicated to identifying potential state and federal funding for legal aid organizations. The subcommittee will work within and outside of the Commission to ensure a thorough review of available funding.

Outside of the Commission, the subcommittee will work closely with the Nevada Bar Foundation to discuss fundraising concepts and opportunities that will benefit the Coalition. As the Nevada Bar Foundation is an independent entity, the subcommittee will also provide input and information relative to legal services to the Foundation as it develops fundraising initiatives. For example, in recent talks with the Nevada Bar Foundation, it was revealed that public relations is an existing challenge among the Coalition as many Bar members are not aware of the extensive legal services work that is done every year by the Coalition. Information provided by the Coalition provided insight to the Foundation about their work and their respective histories in Nevada.



In addition to working closely with the Nevada Bar Foundation, the Subcommittee on Funding will research and recommend national and local grant funding opportunities for the Coalition members and will monitor annual donations made through established giving programs including, the Interest on Lawyers Trust Accounts (IOLTA) Program, the Dues Check Off Program and the ONE Promise Nevada Campaign donations. The IOLTA Program is managed by the Nevada Bar Foundation which maintains the relationships with the participating financial institutions and ensures that the institutions adhere to the fixed percentage rate that is set and reviewed by the Nevada Supreme Court Access to Justice Commission. The Dues Check Off Program is managed by the State Bar of Nevada which provides an opportunity for State Bar members to donate to legal services each year at license renewal time. Funds generated through the IOLTA Program are granted to the members of the Coalition as well as other legal service organizations in the state while funds generated through the Dues Check Off Program are designated for the members of the Coalition of Legal Services Providers. Significant funds have been raised through these programs over the years and have provided support to the Coalition:

Year	Interest on Lawyers Trust Account (IOLTA) Program	Dues Check Off	Statutory County Filing Fees
2014	\$1,850,000	\$144,228.42	\$7,248,515 (FY 2014) (\$8,869,416 total reported filing fee collections)
2015	\$2,942,055	\$111,384.99	
2016	\$2,813,917	\$115,774.91	
Three Year Total	\$7,605,972	\$371,388.32	

Additionally, since its inception, approximately \$65,000 has been raised through ONE Promise Nevada donations. With the exception of the ONE Promise Nevada donations, all of the afore-mentioned funds provide annual support to the Coalition, as such, it is important that those programs are regularly monitored so as to ensure that consistent financial backing will continue. The combination of collaborating with the Nevada Bar Foundation, researching grant funding opportunities and monitoring established donation programs will encourage continued discussion and work toward funding for legal services. In addition to these functions, the Subcommittee on Funding will oversee the process for pursuit of statutorily enacted filing fees.

Upon a Coalition member's determination that it will pursue an existing fee, that member will provide written notification of its intent to the other Coalition members, the Subcommittee on Funding and the Access to Justice Commission Co-Chairs, at least ninety days in advance of the pursuit. In the event there is a dispute for the pursued fees, the basis for the dispute and all good faith efforts to resolve the dispute will be communicated, in writing to the remaining Coalition members, to the Subcommittee on Funding and to the co-chairs of the Commission. In the event the dispute cannot be resolved by further discussions, the matter will be brought before the Nevada Supreme Court Access to Justice Commission for discussion and vote. The Nevada Supreme Court Access to Justice Commission will make the final decision on the allocation of funds.

PROCESS FOR RECOGNITION OF NEW COALITION OF LEGAL SERVICE PROVIDERS MEMBERS

Organizations that are interested in being recognized as a member of the Coalition of Legal Service Providers may formally request membership through an application that provides organization information for review by the Nevada Supreme Court Access to Justice Commission. Information to be submitted to the Commission for review are:

Organization Credentials

Organizations seeking recognition shall submit State of Nevada Articles of Incorporation and proof of 501 (c)3 nonprofit status with the United States Internal Revenue Service. Also, organizations shall provide company financial statements and budget. Additionally, organizations shall present other legal services certifications, memberships and affiliations.

Statement of Established Legal Services and Practices

Organizations shall provide any client restrictions, including age, gender, sexual orientation, race or ethnicity. Additionally, a statement of cost for services shall be provided. A cost statement distinguishes whether clients will be responsible for no payment, partial or reduced payment, or full payment for legal services rendered in addition to any assigned organization income guidelines for services. Also, organizations shall provide an outline of services provided and subject matter areas offered for service (for example, general legal services, family law, etc.) Lastly, the organization shall provide a statement of the geographical service area of the organization (E.g., Washoe County, Elko County, southern Nevada).

Other Pertinent Information

Organizations seeking recognition shall provide information on established partnerships with other community and legal organizations. Additionally, organizations shall provide information on funding sources, including government funding, if any. Lastly, organizations shall provide five professional references from five organizations.

Upon the submission of the afore-mentioned information to the Nevada Supreme Court Access to Justice Commission, the Commission will review and consider the applicant organization characteristics with the established Legal Services Provider Coalition standards to determine the fit of the organization with the Coalition.

STATEWIDE SERVICE DELIVERY PLAN OVERSIGHT

The establishment of a Statewide Service Delivery Plan was not intended to serve as a final document, but rather as a living, breathing document that is regularly reviewed and amended. Moreover, as this document is the product of the Nevada Supreme Court Access to Justice Commission and serves to support the existing Coalition of Legal Service Providers and promote access to justice for all residents of Nevada, oversight of the plan will ultimately rest with the Nevada Supreme Court Access to Justice Commission.

The members of the Nevada Coalition of Legal Service Providers regularly collaborate on legal service delivery in Nevada and will continue to exert a good faith effort to continue the collaboration among the members. Should the need arise, the Nevada Supreme Court Access to Justice Commission will serve as the final decision for issues relative to the provisions established in this plan.

⁶ According to The United States Department of Justice, 63 million Americans qualify for free civil legal assistance and more than 50% of those seeking civil legal help are turned away for lack of resources.



2017

**NEVADA SUPREME COURT ACCESS
TO JUSTICE COMMISSION STATEWIDE
SERVICE DELIVERY PLAN**

Strategies for Legal Service Delivery in Nevada