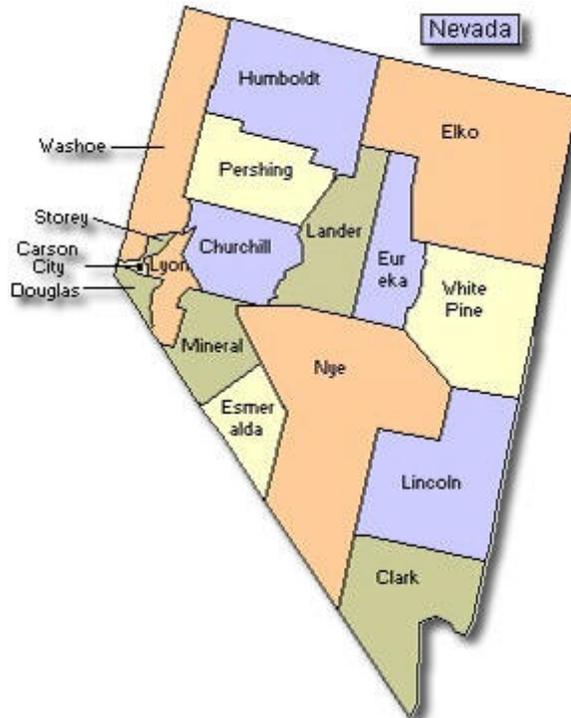




# NEVADA LEGAL SERVICES

Recipient Number 829050

## APPLICANT PAI PLAN FOR 2023



### I. Who We Are

#### 1. Nevada Legal Services

Nevada Legal Services (NLS) has a mission to strengthen the community by ensuring fairness and providing equal access to justice for low-income Nevadans. NLS is the only statewide provider of legal services in Nevada and serves Nevadans in every county. For more than 40 years NLS has worked to provide equal access to justice and help clients gain access to housing, healthcare, income, economic security, and forge a new path for their future. We have offices across the state to meet the needs of low-income Nevadans, seniors, veterans, indigenous peoples, farmworkers and more. NLS leverages our limited resources to provide pro bono volunteers to help additional clients across all of our practice areas and beyond.

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## **2. Pro Bono Program Mission**

Nevada Legal Services strives to meet the needs of all low-income and eligible persons throughout the State of Nevada by providing maximal civil legal assistance. In order to meet this goal, NLS believes it is imperative to foster meaningful partnerships with the private bar and other professionals of the legal and social services community.

## **3. Pro Bono Program Description**

**a. Clinics and Ask A Lawyers.** NLS provides a regular schedule of Ask a Lawyers on a monthly or weekly basis across Nevada. This is generally our starting point when clients contact us. We look to have a least one attorney volunteer for each event to talk with our clients about their legal issues. After the Ask A Lawyers, the client may have all of the information they need, or that we can provide at that time, or there may be issues the pro bono attorney spots that result in a referral of the case for further assistance. The Ask a Lawyers may also contain a self-help forms pro se clinic component where the participants also complete pro se forms to file with the court.

There are regular Family Law and Estate Planning Ask a Lawyers in Reno every month as well as a consumer Ask a Lawyer every other month. The Carson, Yerington and Elko offices provide either general, family law or estate planning Ask A Lawyers on a monthly basis across northern Nevada. In southern Nevada we hold monthly Ask a Lawyers in Pahrump and Laughlin as well as rotating topical Ask a Lawyers, including family law, estate planning, and bankruptcy, monthly in Las Vegas. Additionally, with our new Lawyer in the School Project (see below), we will conduct weekly Ask a Lawyers on Tuesdays at the Myrtle Tate Elementary School to reach our clients where they live and visit while encouraging pro bono volunteerism in lower income communities.

As all of our programs moved to virtual service in 2020 and 2021, we have leveraged our ability to provide services statewide to ensure that those waiting for an appointment can speak with an attorney at any of our statewide events via Zoom or telephone. While we do anticipate moving back to in person events post-COVID, we will also keep virtual events in jurisdictions where that was a particular success, such as Carson City, but also keep those options open to ensure we can leverage our resources to help as many individuals as possible.

### **b. Case Placement and the Judicare Program.**

Case Placement. Although Nevada Legal Services encourages volunteers to provide advice and brief service to a high volume of clients through regular Law Fairs, clinics and seminars, NLS also maintains a case placement list to match pro bono attorneys with eligible clients. Volunteer lawyers are therefore essential in providing direct representation to people in the most need of assistance in targeted legal areas. Nevada Legal Services attempts placement of cases in the following areas: bankruptcy, VAWA Petitions/U and T Visas, name and gender marker changes, criminal record sealing, eviction record sealing, estate planning, guardianships, and other family-law matters.

Judicare. In the face of the COVID pandemic, and the extraordinary circumstances facing Nevadans across the state, NLS also revamped our Judicare program in 2020 to greatly expand the cases that we placed as well as increased the hourly fee we paid to attorneys on our Reduced Fee Panel. NLS traditionally leverages our pro bono resources to aid in family law matters because of the struggle we have faced to find pro bono attorneys willing to take on long term divorce and custody matters. Based on a survey of volunteers reporting their hourly rate, we were able to increase the rate we paid to \$150 an hour for judicare cases (1/2 the average hourly rate for attorneys in Nevada).

As we move back to more normal circumstances, we will refocus our Reduced Fee Panel to entice and reward attorneys for taking otherwise difficult to place cases. The two case types identified as particularly difficult to place are family law and guardianship cases. Due to the limited nature of the Judicare funds, a case will be labeled Judicare only as a last resort. We will make three (3) placement attempts as a pro bono case, at which time a case will become eligible for placement via Judicare. Such cases will be reviewed to determine the suitability of the case for placement in the Reduced Fee Panel Program and likelihood of success without attorney involvement. Should multiple attorneys be interested at the same time, then preference will be shown for the attorney with a greater involvement in the pro bono program (e.g. having taken at least one case within the last 6 months in a pro bono capacity).

**c. The Path of a Pro Bono Case.**

Intake. NLS conducts intakes on all interested applicants to screen the prospective client for eligibility and assessment of whether the case is appropriate for an Ask A Lawyer or Clinic or immediate placement with a pro bono volunteer.

Training. NLS provides a multitude of training resources for pro bono volunteers. We host monthly CLEs on key topics in the types of cases we place. These trainings have been highly successful as virtual events through Zoom and we provide CLE credit as an approved CLE provider with the state bar. We additionally host Roundtable events in the same topic as the next month's Law Fair. The Roundtables are a more intimate forum for pro bono volunteers to ask experts about their current cases or to discuss the topics of upcoming events.

Placement. Cases that have been screened and identified for either immediate placement or identified as needing further assistance through our Ask A Lawyer programs are put on our case placement list. These lists are sent out to volunteers as emails at least once a month. The emails are sent to attorneys based on the location of the client and the attorney's main office of practice. If cases are not taken from our regular placement emails, attorneys will be contacted directly, focusing on those attorneys that have attended one of our CLEs or other trainings for free on the condition that they accept a pro bono case for placement. In special circumstances or emergency matters, attorneys may also be contacted directly by phone or email.

Supervision and Follow Up. Our staff at NLS provide technical support and supervision of our pro bono cases. Staff will regularly follow up with pro bono attorneys and professional volunteers at least every 90 days to determine if additional assistance is needed, to

ensure compliance with our grant funders, to get regular updates on Judicare invoicing, and to determine outcomes of all cases placed. NLS also provides mentors from our staff attorneys or more experienced volunteers in the community for newer attorneys or those taking cases in new areas of law. At the conclusion of a case, staff will ask pro bono volunteers for a Case Closing Memo as well as any final Judicare invoices.

**d. Pro Bono Programs**

Lawyer in the School. In 2022, NLS was granted an award from the Legal Services Corporation to initiate a Lawyer in the School program within Myrtle Tate Elementary School. Through this initiative, NLS has created an access point at the school for parents to seek legal services from dedicated project staff. The staff are embedded at the school 3 days a week, and soon hope to be able to utilize school space to add an additional day. We are seeking new volunteers for this program to participate in Ask A Lawyers at the school once a week – currently on Tuesdays from 1:30 pm to 3:30 pm, although those that wish to volunteer remotely may do so. Through this project we hope to track and evaluate community lawyering models – where staff and pro bono attorneys are embedded directly with our community partner and where our client community lives or visits regularly.

Partners in Pro Bono. The northern offices have partnered with the Legal Aid Center of Southern Nevada and the UNLV Boyd School of Law to partner law students who are now taking virtual classes from the northern areas of Nevada with a pro bono volunteer mentor. The law student is assigned a pro bono case and works on the case with the pro bono volunteer. We hope to recruit additional law students and attorney mentors to expand this program to encourage pro bono law student volunteers in the North where we have no law school and available pool of law student volunteers.

Street Law. In 2020, we received a grant to implement a Street Law project in Washoe County. We entered into a partnership with the Children’s Cabinet to provide training to staff and pro bono volunteers on the Street Law curriculum. We were unable to implement the program until this fall due to COVID but were able to revive it in the fall of 2022. We will continue to work on our schedule with the Children’s Cabinet for 2023 and recruit volunteers for 2023 events.

Estate Planning for Seniors in Rural Nevada: Serving Seniors. In 2022 we held our first in person Serving Seniors event in person across the state to provide estate planning services to seniors in their local communities since COVID. We provide on site pro bono volunteers at Senior Centers across Nevada to provide an estate planning document for the client at the event or, if more follow up is needed, assist the pro bono attorney in completing the estate plan after the event. We will continue this event in person in April in 2023.

Veterans and Active Military Members @EASE Outreach. Since 2016, in partnership with the Attorney General’s Office of Military Legal Assistance (OMLA), NLS and the OMLA have hosted monthly events throughout Nevada in which Pro Bono Attorneys offer free legal assistance to active duty military members or veterans. This is known as Project @EASE and it was awarded the Best Pro Bono Project in the United States by the Department of Defense

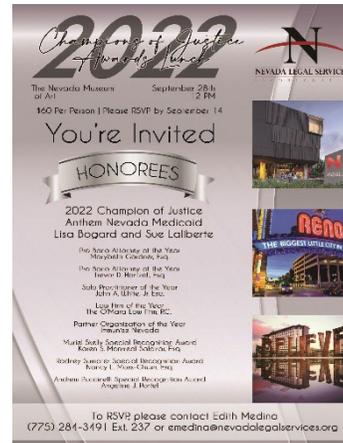
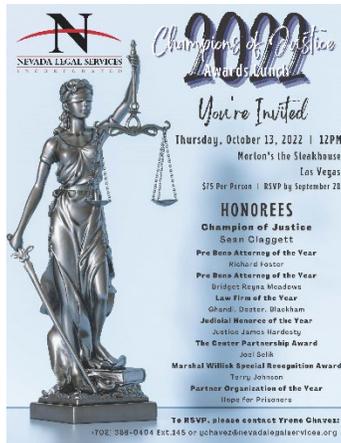
in 2018. Services provided include estate planning, landlord/tenant issues, consumer and family law. In 2018 and 2019, NLS and OMLA partnered with the Veterans Administration hospitals in Las Vegas and Reno to hold quarterly events where we provided free wills and legal advice to veterans. We were only able to provide one OMLA event before the events for the rest of the year were cancelled due to COVID. We look forward to reinvigorating this program with OMLA staff in 2023.

Community Law Fairs. NLS aids Nevadans in every county. To ensure assistance to individuals in rural communities with limited resources, we host a number of law fairs in rural areas and recruit pro bono volunteers in those local communities as well as volunteers from surrounding communities to assist in our provision of legal services across the state. Unfortunately, due to COVID, we were not able to host the number of Community Law Fairs we had planned in 2020 and 2021. Instead, we turned to statewide telephonic and video Community Law Fairs. We incorporated Zoom into our Law Fair model to provide one on one experience for clients with their pro bono attorneys. We focused on in person community law fairs in 2022 during Pro Bono Week. We held in person events in Reno and Carson City but conducted telephonic events in other rural areas. The virtual events were not as successful in 2022. Therefore, we will move towards in person events for Law Fairs and all larger events moving forward. We will plan to hold Law Fairs on various topics every other month and recruit attorneys and clients across the state. We will also plan to incorporate virtual Roundtables to provide an avenue for substantive training in coordination with the Law Fairs to the extent possible.

Pro Bono Month. October is Pro Bono Month at NLS. During this month NLS will offer special recruitment lunches, CLEs, legal education classes for the public, and other opportunities for attorneys to volunteer. These activities will culminate with a two-day Pro Bono Summit in October in Las Vegas. We had planned on a summit during 2021 and 2022 but were unable to complete the event due to continuing issues with COVID. This summit will bring together private firms and legal services providers to talk about the benefits of pro bono services, best practices for pro bono cases and events, and also potentially provide more substantive training on hot topics or emerging issues to make pro bono services engaging and relevant. These presentations will include CLEs on the ethics of pro bono representation, seminars on how to interact with and counsel pro bono clients, as well as substantive CLEs on issues facing low-income clients.

Community Education Events. NLS also engages our pro bono volunteers to provide legal education and pro se clinics to the communities we serve. Due to the COVID pandemic, we had to stop our prolific in person educational seminars. Instead, we created a YouTube channel and began providing live streamed educational seminars on a variety of topics. Educational topics include bankruptcy, criminal record sealing, eviction sealing, powers of attorney, wills, probate, minor guardianship, the foreclosure process and small claims. We hope to again provide in person educational seminars in 2023 on a variety of topics of interest to our clients, including criminal record sealing, name and gender marker changes, end of life planning, bankruptcy and more. Additionally, we will continue our partnership with the library system in southern Nevada to present educational seminars at the West Charleston and Green Valley libraries, as well as senior centers, and the VA hospital on a variety of topics.

e. **Recognition of Pro Bono Partners.** NLS celebrates our partners and honors our pro bono volunteers at our annual Champions of Justice events. We host yearly events in Reno and Las Vegas and every other year in Elko or Winnemucca. The events are generally held in October or around Pro Bono Month. NLS enjoys recognizing and awarding our wonderful volunteers every year in a relaxed and celebratory atmosphere. Aside from the awards we also submit a monthly report to the State Bar of Nevada for the honor roll – a list of volunteer attorneys in the monthly issue of the Nevada Lawyer.



## II. Pro Bono Goals 2023

1. **Virtual CLE Programming.** One of our main takeaways from the COVID pandemic was that virtual CLEs are a success. We will continue this model into the future by leveraging our pro bono partners across the state to educate and provide training to all of our volunteers in our main practice areas. Smaller in-person CLEs will also be conducted in rural communities.

2. **Continue the move back to in person client services.** While attorneys and our professional partners have the resources to engage with our programs virtually, often our clients do not. We have already begun opening our pro bono programs back to in person service with many of our special projects and events. We will continue to reengage our client populations with in person events and recruit volunteers to join us at those events while also allowing our partners to participate in our programs virtually via our technological resources.

### 3. Development of New Programs

a. Name and Gender Marker Change Clinic. In cooperation with one of our dedicated volunteers with name and gender marker change petitions, we plan to expand our Ask A Lawyer events to include a new self-help forms clinic in the model used pre-COVID. We will have a pro bono attorney present to provide education and instruction on how to complete a petition to change a name or the process by which Nevada changes gender markers. These clinics will be held in person monthly.

b. SSI/SSDI Overpayments. NLS would like to expand our placement of pro bono cases to include assistance with social security disability and SSI overpayment matters. These cases generally involving filling out a form to request a waiver of the overpayment and are highly unlikely to involve the private bar. NLS has one volunteer in northern Nevada who has practiced before the Social Security Administration for decades and we plan to expand the program statewide.

c. Eviction Sealing Clinics. Due to staffing issues, and the continued spread of COVID in Clark County, we were not able to initiate our record sealing clinics in 2022. For 2023, we do plan to reinvigorate in person pro se clinics to assist pro se filers with motions to seal their eviction records in cooperation with our Tenants' Rights Center. Sealing records can be some of the most impactful work that we do as it allows individuals to remove significant barriers to housing and employment to give them a fresh start in their lives.

d. Expansion of the Bankruptcy 341 Clinic/Ask A Lawyer Program. In partnership with the U.S. Bankruptcy Court in Reno, NV we will continue to provide a Clinic/Ask a Lawyer event during the 341 meeting dates every month for pro per debtors. This program was implemented in 2020 pre COVID. We were able to conduct several events prior to the shutdown. The remainder of the 2020 events were then held virtually. The program continued into 2021 for several months but was difficult to maintain with virtual 341 meetings. We will attempt to reinstate the in 2023 and explore opportunities in southern Nevada.

#### **4. Build Relationships with Law Firms, Casinos, Law School Clinic Programs and Partner Organizations.**

a. Recruitment of Attorneys and Professionals. We are currently focusing our recruitment of volunteers through our Lawyer in the School Program. In order to create as many partnerships as possible and place volunteers in the school on a weekly basis, we are reaching out to law firms and corporate legal departments. We consistently need volunteers not only to take pro bono cases, but also to volunteer at our Ask A Lawyer and Law Fair events. In addition, we will resume hosting lunches and happy hours with our volunteers and potential volunteers that had to be suspended because of COVID. Furthermore, we will reach out to the Boyd School of Law clinical programs to assist with our record sealing efforts to provide meaningful experience to law students and assist our clients make positive changes in their lives.

b. Partner with Non-Profits. NLS partners with many non-profits to provide education to their client communities as well as referrals for various legal issues. Through the pro bono program, we will continue to expand our partnerships with organizations to provide legal education to their members, provide educational seminars at libraries in the Las Vegas Valley, and expand our assistance to community partners with name and gender marker clinics and case referrals. We will regularly meet with partner organizations to stay on top of the most pressing needs facing our clients and collaborate on the best ways to help our clients. In the north we plan to re-establish our family law educational seminars with Step 2, a long-term treatment facility for women facing domestic violence, substance abuse and trauma.

c. Joint Paralegal Program (JPP). NLS and Truckee Meadows Community College will continue to provide an externship opportunity for paralegal students to gain practical experience. NLS will continue to accept applications from interested students starting immediately. Interviews will occur on a rolling basis and the Pro Bono Director and Pro Bono Coordinator will interview interested candidates. Paralegal students will help eligible individuals attending Self-Help Form Clinics/Ask a Lawyers in Reno. At the clinics, the JPP volunteers will meet with eligible clients of the NLS pro bono program and help them fill out the court forms and provide direction on the court process in family law cases under attorney supervision. Alternatively, the volunteer could assist us with updating our information of pro bono volunteers and other ongoing projects as assigned if the Ask A Lawyer schedule is not feasible.

d. Training and Mentorship. NLS will provide a comprehensive training schedule and training materials in 2023 with our virtual CLEs and Roundtable discussions. We will also expand our stable of mentors to ensure new attorneys and attorneys taking cases in new areas of law are bolstered by our mentorship program.

e. Committees, conferences, and events. NLS will participate in key pro bono committees and conferences, including the Access to Justice Commission, the Equal Justice Conference, and bar association events and committees.

f. Co-Counseling on Impact Litigation. NLS will seek litigation partners to regularly co-counsel with NLS staff attorneys to utilize their resources and existing skills to provide legal research, draft pleadings, conduct discovery, and appear in court while mentoring staff with little litigation experience. It is difficult for NLS to take on significant litigation cases without leveraging our law firm partners to help in these efforts.

g. Recognition. NLS will continue to provide regular recognition of our volunteers in the Nevada Lawyer as well as with the local bar associations. We will also strive to ensure all of our volunteers are recognized at our annual events as well as on a more individual basis throughout the year with monthly social media highlights.