

NEVADA LEGAL SERVICES, INC.

STATE PLANNING REPORT

A. Briefly describe the state planning process and participants.

Nevada Legal Services, Inc. serves the entire state from its offices in Reno, Carson City and Las Vegas. The service areas cover over 109,805 square miles and have a population of over 1,200,000. Nevada Legal Services serves both the urban and the rural poor. It is in the unique position of having developed networks of resources in the urban and rural areas to help the disenfranchised in the substantive areas of housing and public benefits.

State planning in Nevada has not been an isolated exercise nor has it been an effort solely sponsored by the Legal Services Corporation through Program Letter 98-6. The process in Nevada has been a long-term effort arising out of the context of an expanded effort sponsored by an amended Supreme Court Rule. Supreme Court Rule 191 technically focuses on further involvement of the private and governmental bars in the provision of legal services to eligible clients. A portion of the Rule requires the Chief Judge of each Judicial District submit a plan to the Supreme Court on how the attorneys in that Judicial District will strive to meet the aspirational goals outlined elsewhere in the Rule. In Clark County (Eighth Judicial District), Washoe County (Second Judicial District), and the Carson City area (First, Third and Ninth Judicial Districts) the plan submitted resulted in the formation of three non-profit corporate foundations. The Trustees of these foundations are comprised of a broad cross-section of judges, attorneys, social services agencies and legal services providers. These forums have afforded a long-term opportunity to examine legal needs, coordinate current efforts and develop new resources to expand the delivery of civil legal services to low-income Nevadans. Specifically, it has required the legal services providers in the state to better coordinate their work. The legal services providers in Nevada include: Nevada Legal Services, Washoe Legal Services, Clark County Legal Services, Clark County Pro Bono Project, Volunteer Lawyers of Washoe County, Volunteer Attorneys for Rural Nevadans, Senior Citizens Law Project and City of Las Vegas Senior Citizens Law Project. It should be noted that the last two organizations do not means test their clientele; however, their natural focus is on low-income clients. The other participants in this on-going process of evaluation and development include state and local judiciary and bar associations along with a variety of human services providers.

It should be noted at the outset that Nevada Legal Services, Inc. is the only recipient of monies from the Legal Services Corporation in Nevada. It is also the only statewide entity providing civil legal assistance in Nevada. The other entities involved in statewide planning receive no funding from the Legal Services Corporation and are entirely independent. As a consequence, the access to detailed information from these other entities is limited, and the responses to the Legal

Services Corporation planning questions in Program Letter 98-6 will focus on the systems at Nevada Legal Services, Inc.

B. Address the following areas:

1. Intake, advice and referral

The client intake system for Nevada Legal Services has become more sophisticated every year, giving clients greater access to legal assistance. The situation in each office is slightly unique. Clients first access the office largely by telephone with relatively few walk-ins. In Carson City, the intake system is especially dependent on local and “800” telephone number services. While each client contact is carefully followed by the confirming letter from Carson City, many of the clients in the rural areas of the state receive some levels of representation without ever being physically present in Carson City. This rural office is also heavily dependent on a rural network of social service agencies like the one in Elko County providing office space and other support.

A major improvement was made in the client intake system in the northern Nevada region earlier this year. A state of the art computerized telephone system similar to the one in use in the southern Nevada office was installed and brought on-line. This system and the “800” service has made it possible to centralize all northern Nevada telephone intake through the Carson City Office which is directly linked to the Reno Office through dedicated lines. This was followed by a complete overhaul of the computer networks in the northern offices. All three offices are now similarly technologically equipped. After almost a year on this new system and office/staff configuration things are running very well. It is expected that the productivity gains will be significant.

The Clark County Office has had this type of sophisticated telephone system for over four years and can provide extensive “Tel-law” legal services, further backed by “hot lines” in housing and consumer law. All Nevada Legal Services offices now have state-of-the-art computerized telephone systems.

Although there is a great deal of referral of clients among the various legal services providers in Nevada, their intake systems are entirely separate and are not controlled or directed by Nevada Legal Services, Inc. This is partly due to the need for strict program integrity and independence. There are regular discussions, however, concerning the coordination of priorities and special programs both in and out of the context of the foundations described earlier in this response.

2. Technology

As previously discussed, the two northern offices have gone through extensive upgrades in telephone and computer networks bringing all three offices up to similar levels. The new system is capable of a full array of self-help Tel-law, with self-help instruction on the most common problems that clients can handle when armed with this information. This has been a huge success in the Las Vegas Office unlogging its lobby and intake system and allowing Nevada Legal Services, Inc. to serve more clients with a smaller staff. This long overdue improvement is allowing Nevada Legal Services, Inc. to serve more clients than ever before and more efficiently.

New plans are being considered to link the three offices networks and provide Internet and on-line legal research to each desktop. The three offices of Nevada Legal Services have already had extensive experience with the utilization of technology. WordPerfect 6.1 is common to all, and the Clark County Office is now proficient in Microsoft Word. The case management and time-keeping systems in the three offices is Turbo Cases. Lotus and Excel are common to many of the employees and applications. The accounting and financial management system currently used is MIP, a state-of-the-art fund accounting system, which is fully equipped to do totally automated accounts payable, payroll, general ledger and budgeting.

The Reno Office is unique with its direction coming from the Directing Attorney of the Carson City Office. The office is small but capable of handling a large capacity. Utilizing the latest telecommunications technology, telephone intake is now routed to the large office in Carson City leaving the Reno staff free to devote their time to the urgent needs of walk in and appointment clients.

Nevada Legal Services, Inc. participates in the California-based technology group, which is exhaustively described in the state planning document submitted by the Legal Services Corporation's programs in California.

Nevada Legal Services, Inc. has established a website, and its staff is developing expertise to manage it effectively. The website includes a permanent collection of housing and public benefit materials as well as a section for current matters such as SSI children's termination and expanded government health care.

3. Access to the Courts, Self-help and Preventive Education

With its new technological capabilities Nevada Legal Services has developed a new tool to identify the ever-changing legal needs of eligible clients in the state. This began with the creation of two directories of social services providers in the state, one for southern Nevada and the other for Northern Nevada. With these lists and broadcast fax capabilities, Nevada Legal Services, Inc. has gained valuable insight into the legal needs of eligible clients through surveys of these social service

providers. The information collected from this new source and regularly used sources are used to adjust the focus and priorities of Nevada Legal Services, Inc.

The use of pro se clinics and other self-help strategies is steadily increasing in all three offices. One innovative project, for example, has been the development of pro se motions to be used by tenants which have been certified by the Justice Court system, the forum hearing virtually all low-income landlord-tenant matters. These forms are now being reproduced by the Justice Courts themselves and are finding increased use throughout the state. In addition to this development, the Justice Court clerks from throughout the state have received structured training from Nevada Legal Services' staff to reinforce the use of these forms, especially in the rural reaches of the state. Other self-help packages have been developed for the incorporation of local community-based non-profits, as well as written assistance and applying for non-profit tax status. Special mention should be made of the development of Family Court self-help centers in Reno and Las Vegas. This represents the first movement sponsored by the court system to assist self-help representation through a formal structure. Nevada Legal Services, Inc. has been deeply involved in the development of the larger center in Las Vegas and will be applying for the contract to staff the center. It is hoped these models will be replicated in other parts of the judicial system in the state to improve the access to the courts and the quality of justice.

Community legal education has long been a priority in all three offices. Such training of community groups and agency service providers is an essential element of the most cost-effective delivery of legal services. This is not a compromise of the appropriate representation of clients; in fact, most of legal services clientele need only basic information and advice, and relatively few need the more sophisticated costly levels of representation.

The advent of the new pro bono effort at the Supreme Court level will also have significant influence over the levels and types of community legal education carried out in conjunction with the private bar. The large availability of lawyer time contemplated under this arrangement will provide unusually rich resources for community-based education in the future.

4. Coordination of Legal work, Training, Information and Expert Assistance

Legal work management has always been strength of all three offices. Supervision and training are seen as accepted norms at all staff levels. All three offices use sophisticated case management software and hold weekly case review meetings to accept cases for representation as well as to solicit group input on strategies and issues. Despite the reduction in federal funding for civil legal services, Nevada Legal Services, Inc. strongly believes professional development should not be sacrificed easily, and the high quality of legal service can be maintained only if supervisory and training systems are kept strong.

Nevada Legal Services, Inc. participates in extensive internal and external training and support activities. All new staff receive an organized orientation to Nevada Legal Services, Nevada law and the local communities where they will work. In addition, all staff participates regularly in professional development training provided by Nevada Legal Services, Inc. directly or through the regional and national legal services community. Trial advocacy, legal writing, substantive law, computer proficiency and communication skills illustrate the breadth of the training systems used at Nevada Legal Services, Inc. The program also has a contract, using non-Legal Services Corporation monies, with a private attorney who has extensive legal services training experience.

In addition to regular practices all three offices have been upgraded for the ability to utilize on-line legal research, updates and forum discussions. This is proving to be a valuable tool speeding the research process significantly.

Specialized expertise on complex legal issues, practice manuals and timely information on key legal developments are crucial elements in supervision of high quality legal services. Nevada Legal Services has developed sophisticated law libraries with years of specialized substantive law and practice skills benefits. In addition, despite the lack of federal funding for the traditional national support centers, most are offering some level of publications services, which Nevada Legal Services, Inc. fully intends to access. The technology of Handsnet, WestLaw and CD-ROM library accesses are also growing elements of the firm's response to this need.

5. Private Attorney Involvement

The Clark County Office of Nevada Legal Services, Inc. has coordinated with the Clark County Bar Association in establishing the Clark County Pro Bono Project. Through this effort, Clark County attorneys in substantive law areas not handled by the legal services staff represent low-income people. Clients are screened by Nevada Legal Services, Inc. staff for financial eligibility and identification of legal problems.

If potential clients qualify, the cases are referred to the Pro Bono Project Coordinator who attempts to find an attorney on the panel to represent the clients.

Nevada Legal Services, Inc. in coordination with the First Judicial District Bar Association has expanded services in the Northern region of the state by starting the Volunteer Attorneys for Rural Nevadans (VARN). Similar to the Clark County Pro Bono Project, potential clients are first screened by Nevada Legal Services staff members. If potential clients qualify, the cases are referred to the VARN Project Coordinator. Additionally, staff members of the Clark County Office of Nevada Legal Services, Inc. have recruited private attorneys to work at the annual “StandDown for the Homeless.”

In conjunction with the State Bar of Nevada, Nevada Legal Services, Inc. has been spearheading the development of Nevada Supreme Court Rule 191, the State Bar Initiative started nearly three years ago. The rule greatly encourages the increased involvement of the private bar in a far-reaching array of activities in representing eligible clients. Rule 191 is also critical in the development of other resources both financial and otherwise.

Supreme Court Rule 191 has been implemented most quickly in the urban areas of the state. Washoe County, Las Vegas and Carson City areas have all submitted plans to the Court. All three efforts have taken similar shape with the formation of separate and freestanding nonprofit foundations that serve as the institutional bases for future work in the implementation of the Rule. These organizations provide long-term forums for the growth of the justice system in Nevada. The Boards of Directors of the foundations have brought together judges, bar associations, legal services providers and the social service communities for the first time in the state. Nevada Legal Services, Inc. has played a crucial role in the development of this work

6. Resource Development

There are only three established statewide financial resources for civil legal representation of low-income Nevadans. The first is, of course, funding from the Legal Services Corporation. Nevada Legal Services, Inc. is the only recipient of these funds in the state, and future expansion of this funding is speculative at best. It should be noted, however, that Nevada has the fastest growing poverty population in the United States, so that under the Census for the year 2000, Nevada should see an increase in its portion of whatever Legal Services Corporation’s funding there is. The second source is the Nevada Law Foundation, which has the conduit for Interest On Lawyers Trust Account monies. Nevada is currently a “opt-out” state with little prospect its program will become mandatory. Nevada Legal Services, Inc. has been a regular recipient of these funds, but there has been little increase in this funding source. The fate of this source will depend on the current litigation concerning the constitutionality of the IOLTA program. The third statewide source of money is a

filing fee surcharge which Nevada Legal Services, Inc. is entitled to only in the rural areas of the state. This funding source increases regularly but only slightly. The Nevada Legislature has shown little interest in increasing the filing fee surcharge.

The Pro Bono foundations provide hope for the future expansion of funding for civil legal services in Nevada. Under Supreme Court Rule 191, one option for meeting the goals of the Rule is for each attorney to donate \$500 per year to the legal services providers existing in the state. The first real test of this mechanism will occur in 1999 when the two major urban foundations solicit money from the bar.

7. System Configuration

As noted earlier, Nevada Legal Services, Inc. is the only Legal Services Corporation recipient in Nevada. This is accomplished through two mergers. The first occurred in 1982 with the combining of Nevada Indian-Rural Legal Services and Clark County Legal Services to form a new corporation: Nevada Legal Services, Inc. This merger did not include Washoe Legal Services. The Legal Services Corporation funding for Washoe County was awarded to Nevada Legal Services, Inc. in 1996. Although each of the three pro bono projects in Nevada is financially supported by Nevada Legal Services, Inc., all three are separately incorporated and are fully independent.