

Since 1958

LEGAL AID CENTER

■ ■ ■ ■ of Southern Nevada

November 3, 2015

Tracie K. Lindeman
Clerk of the Supreme Court
Nevada Supreme Court
201 S. Carson St.
Carson City, NV 89701

FILED

NOV 06 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *[Signature]*
CHIEF DEPUTY CLERK

Re: ADKT 0499, Hearing scheduled on December 8, 2015

Dear Ms. Lindeman:

I am writing to provide comments to the ADKT that is pending regarding the organization and operations of the Continuing Legal Education Board. We are pleased that the plan includes a waiver for any fees to be assessed to legal aid programs offering CLE. CLE programs play an important role in the legal aid delivery system. When we request that attorneys provide pro bono service, we offer free CLE training to those attorneys in exchange for taking a case. Additionally, we offer CLE training as a way to ensure quality representation, especially in areas of law where most lawyers do not practice. For example, 771 children in Clark County are represented by pro bono attorneys. In addition to a free 3 hour CLE training lawyers in the basics of representing abused children, every month, we offer a free CLE on a specific topic that is often seen when representing abused children such as how to represent a preverbal child, how to deal with a case where child is being over prescribed psychotropic medications, etc. If we did not have a fee exemption in the final rule, pro bono training and the delivery of high-quality programming for both legal aid in pro bono attorneys would be affected. We appreciate the plan containing this fee exemption for legal aid providers.

We do have one additional suggestion to make. We suggest that any reference to the fee exemption for legal aid providers state this fee will not apply to legal aid providers, provided they do not charge attorneys for attending or providing that 100% of the net proceeds of the CLE be given to the legal aid provider. Occasionally, there are "benefit" CLE programs where hundred percent of the net fees are donated to legal aid organizations. For example, during Celebrating Pro Bono Month, Justices Douglas and Hardesty, in conjunction with the State Bar of Nevada, offered a paid CLE to lawyers where one hundred percent of the proceeds are donated to legal aid entities. Occasionally, a specialty bar (i.e. Nevada Justice Association) will do the same thing. These opportunities are small, and would not significantly detract from any revenue received by the Bar.

Finally, I would note that the Bar allows a CLE to be taken electronically at no cost for one credit if the attorney takes a pro bono case. There is a fee for the CLE in general; in this case, one hour of CLE is being given for free to encourage pro bono services. Again, we would request that the rule be made clear that fees would not be charged for this program which encourages pro bono service.

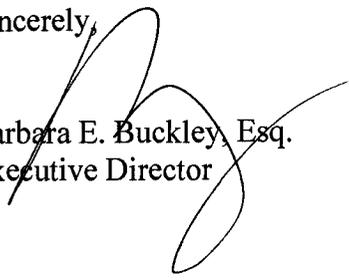
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Thank you for your consideration of these comments.

Sincerely,


Barbara E. Buckley, Esq.
Executive Director