

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF: THE
GUARDIANSHIP OF THE PERSON
AND ESTATE OF JEAN RUTH
ECHEVARRIA, AN ADULT WARD,

MICHAEL A. ECHEVARRIA,
Appellant,
vs.
ROBERT L. ANSARA; AND ANGEL
ECHEVARRIA,
Respondents.

No. 65598

FILED

SEP 04 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER REGARDING PRO BONO COUNSEL


This is a proper person appeal from a district court order authorizing the payment of guardian fees and attorney fees in a guardianship action. Appellant is proceeding without legal representation in this appeal. Having considered the record and the civil proper person appeal statement filed by appellant, this court has determined that the appointment of pro bono counsel to represent appellant would assist this court in reviewing this appeal. By this order, the court expresses no opinion as to the merits of this appeal.

Pro bono counsel is an attorney who provides legal services without charge for the benefit of the public good. The appointment of pro bono counsel provides attorneys with an opportunity to volunteer legal services in furtherance of their professional responsibility and, at the same time, allows financially eligible litigants access to quality legal representation without cost. Counsel will be appointed for purposes of this appeal only and will participate in oral argument. Currently, the Pro Bono Committee of the Appellate Litigation Section of the State Bar of Nevada (Pro Bono Committee), in conjunction with the Legal Aid Center of Southern Nevada, has developed a pro bono appellate program to assist

the public and this court. This case is hereby referred to the program established by the Pro Bono Committee to evaluate whether appellant can benefit from the program.

Accordingly, we direct the clerk of this court to transmit a copy of this order and the attached case summary to the Legal Aid Center of Southern Nevada for financial eligibility screening. If appellant qualifies and does not object to pro bono counsel, the Legal Aid Center in cooperation with the Pro Bono Committee shall locate a volunteer attorney from the program to represent appellant. Once an attorney is located, the attorney shall file a notice of appearance in this court within 60 days from the date of this order. Supplemental briefing and oral argument will be scheduled thereafter. Alternatively, if appellant is not financially eligible or objects to pro bono representation, or if a volunteer attorney cannot be located, the Legal Aid Center of Southern Nevada shall notify this court in writing within 60 days from the date of this order. In such case, oral argument will not be held, and this matter will stand submitted for decision on the appeal statement and record currently before the court. See NRAP 34(f)(3).

It is so ORDERED.

 C.J.

cc: Michael A. Echevarria
Lionel Sawyer & Collins/Las Vegas
Solomon Dwiggin & Freer
Trent, Tyrell & Phillips
Legal Aid Center of Southern Nevada, Barbara E. Buckley,
Executive Director
Anne Traum, Coordinator, Appellate Litigation Section,
Pro Bono Committee, State Bar of Nevada

Docket No. 65598, In re Guardianship of Echevarria

This is a proper person appeal from a district court order authorizing the payment of guardian fees and attorney fees in a guardianship action. Appellant obtained a judgment against the ward and had the judgment domesticated in Nevada in the instant guardianship action. He also placed a lien on the ward's California property. Thereafter, the ward's guardian sold the California property. While appellant received over \$200,000 from the sale, this amount did not satisfy his lien. The remaining proceeds from the sale were placed in the guardianship estate and when it was determined that excess funds were available for disbursement, the court entered an order authorizing a pro rata payment of guardian fees and attorney fees. The district court concluded that because appellant had received funds from the sale of the property, he would not share in the pro rata distribution of the guardianship estate's excess funds. Appellant's financial eligibility is unclear from the record.