



WASHOE COUNTY
PUBLIC DEFENDER

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November 2, 2018

Chief Justice Michael Douglas
Nevada Supreme Court
201 South Carson Street
Carson City, Nevada 89701-4702

FILED

NOV 02 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Re: Renewed Request for Amendment to ADKT 0499

Dear Chief Justice Douglas:

The Washoe County Public Defender's Office reviewed the Renewed Request for Amendment to ADKT 0499, prepared by the Nevada Board of Continuing Legal Education. This Office is an accredited CLE provider and a Government Agency. We are the primary provider of CLE for our lawyers and the local criminal defense bar. This letter is provided in opposition to ADKT 0499's proposed elimination of Government Agencies from exempt status. The removal of exempt status will create a budgetary hardship and impact our ability to provide CLE to the local criminal defense bar.

The Washoe County Public Defender's Office shares many of the concerns already expressed by numerous organizations related to the proposed amendments. This office will suffer a direct and negative impact if the amendments are adopted, specifically resulting in a loss of our "accredited CLE provider" status. This status allows the Washoe County Public Defender's Office to put on high quality CLE programming throughout the year, and is exempt from paying a fee to host the programs.

Over the past decade, in house trainings presented by Public Defender staff, has become our primary method for satisfying CLE requirements for the 36 attorneys in our office. These trainings are done at no cost to attendees, which often include members of the private defense bar, the Alternate Public Defender's Office, and the Federal Public Defender's Office.

Like many other public and private entities, the Washoe County Public Defender's Office continues to be effected from the financial fallout of the recession and operates on a very tight budget. During the recession in order to retain our lawyers and staff our CLE budget was virtually eliminated. The recession was the impetus for us to become an accredited CLE provider which allowed us to provide quality CLE at no cost to our lawyers. Providing excellent criminal defense is paramount and we must be able to continue to train attorneys on relevant changes to the current law and new requirements as they occur. Removal of the Government lawyer exemption will thwart our ability to provide CLEs because we do not have budgetary resources to meet the costs created by the proposed amendments.

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Additionally, the proposed amendment creates a process for approval of CLE programming that is unduly burdensome to accredited providers. Currently, we provide a Program Notification Form to the CLE Board. The proposed amendment eliminates the accredited provider status and requires every CLE program be submitted to the CLE board for approval. This proposal creates a layer of administrative red-tape that will be taxing upon the accredited provider and the CLE Board.

Based upon these concerns, we respectfully request that the proposed amendment in ADKT 0499 regarding elimination of the fee exempt status for bar associations, courts, government entities and nonprofit organizations be denied. Further, we request that the existing course approval structure for accredited CLE providers be maintained.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Arrascada', with a long horizontal flourish extending to the right.

John Arrascada
Washoe County Public Defender