

FILED

JAN 31 2020

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

Frances M. Doherty
Senior District Court Judge
State of Nevada
188 Carleton Ct.
Reno, NV 89511

January 30, 2020

Honorable Justices of the Supreme Court of Nevada
% Elizabeth A. Brown
Clerk of the Supreme Court
201 S. Carson Street
Carson City, NV 89710

RE: ADKT 0551

Dear Honorable Members of the Supreme Court of Nevada:

This letter is to express full support of ADKT 0551, a petition seeking to amend Supreme Court Rule 210(2) to allow continuing legal education credit for pro bono legal services.

As a former legal services director, staff attorney, paralegal and, intern and over the course of my service as a district judge, I have witnessed the challenging work required for those who represent resource-limited litigants. Poverty law is an area of law requiring significant legal expertise. Poverty law has been recently described in the following manner :

[L]egal representation and advocacy that addresses those impediments to low-income individuals, families, or communities being able to capitalize on financial opportunities...Poverty lawyers seek to uphold the human rights and dignity of people living in poverty, including the right to healthy food, habitable and affordable housing, property ownership, clean air, safe communities, accessible transportation, and meaningful access to the judicial system. [It] includes any area of law that touches the lives of individuals living in poverty (Snow, Vanita. *The Untold Story of the Justice Gap*. Pace Law Review. 2017, 652).

Poverty law involves a myriad of federal and state laws, regulations and programs with a strong overlay of constitutional and common law peculiarities. Administrative, trial and appellate practice are frequently rolled into the path of a single case. Many legal services cases involve substantive issues not seen outside the poverty law spectrum. In addition, pro bono litigants often have interrelated legal challenges in which housing, income, domestic safety, custody and refugee or legal status could be wrapped into a single case or client. This are difficult legal

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Pro bono attorneys are no doubt competent in their areas of expertise. They are also attorneys committed to using their skills to ensure equal access to justice for all Nevadans. They are willing to learn and apply their training and knowledge to close the justice gap. They deserve recognition of their willingness to learn new areas of law and represent clients who may otherwise go unrepresented.

In July 2019, 14.2% of Nevadans were identified as living below the federal poverty level. (Census, 2019). Tens of thousands more individuals live in impoverished circumstances. Granting up to four CLE credits to pro bono counsel willing to join the multi-faceted response to ensuring access to justice for all, is itself a fair and just accommodation.

Thank you for your consideration.

Respectfully,

Frances M. Doherty.