



NCEDSV

Nevada Coalition to END Domestic and Sexual Violence

ADKT 567

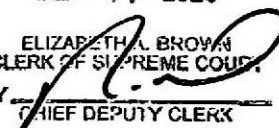
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September 16, 2020

TO: Members of the Nevada Supreme Court

FROM: Sue Meuschke, Executive Director
Nevada Coalition to End Domestic and Sexual Violence

SEP 17 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

RE: Rules and Procedures to Establish in Eviction Mediation Proceedings
- Special Concerns for Victim-Survivors of Domestic Violence

The Nevada Coalition to End Domestic and Sexual Violence (NCEDSV) and its member organizations throughout Nevada are very appreciative of action taken by the Nevada Legislature during its 32nd Special Session in the form of SB1 to enable the Nevada Supreme Court, District Courts, and Justice Courts to establish by rule an expedited form of alternative dispute resolution to seek to avoid, mitigate, and produce positive outcomes for tenants and landlords alike.

NCEDSV is aware that two approaches to such rules have been drafted in the forms of Exhibits A and B to the Petition filed August 31, 2020 by Chief Justice Pickering and Justice Hardesty.

NCEDSV wishes to state in the strongest terms possible the importance of adopting the approach described in Exhibit A. Victim-survivors of domestic violence who have been able to break free of their abusers and establish a separate residence for themselves and their children are often in a very challenging financial position. They also, given the demands of childcare and personal safety, face significant barriers to complying with court procedures that require in person hearings. They may also, through circumstances of the abuse they have encountered, have prior disruptions in the payment of rent or even evictions. Not only victim-survivors, but requiring any people in crisis to prove that they are in crisis serves no real benefit to the parties involved or the Court. All Nevadans facing eviction during this crisis should have equal access to elect mediation at the time they file an answer so as to not overwhelm the already burdened parties and court systems.

It is in the interest of justice, the personal safety of these victim-survivors and their children, the continuation of the children's education, and the continued participation (if such still exists) of the victim-survivor in the workforce that every opportunity should be explored to find a way to keep them in their homes while at the same time recognizing the obligations of the victim-survivor as tenant and the rights of the landlord or property owner.

We thank the Nevada Supreme Court for its consideration of our input. The pandemic and the associated economic crisis have added to the enormous burdens of victim-survivors; thus, every opportunity to avoid or mitigate eviction through alternative dispute resolution is of critical importance.

