ADKT 0435

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

April 22, 2020

Via Electronic Submission

Justices of the Supreme Court of Nevada
c/o Elizabeth A. Brown
Clerk of the Supreme Court
201 South Carson Street
Carson City, Nevada 89701

Re: ADKT 0435: In the Matter of the Adoption of Rules for Foreclosure Mediation

Dear Chief Justice Pickering and Honorable Justices of the Supreme Court of Nevada:

You invited comments regarding the Petition to amend Rule 3(4) of the Foreclosure Mediation Rules ("FMR") concerning mediator qualifications. I oppose the proposed amendment to FMR 4(a)(1) seeking to require that all mediators be licensed to practice law in Nevada and support the proposed changes to FMR 3(4)(b) governing the continued education requirements.

I join the comments submitted by William O. Huggins, III, Esq., Anthony Arrington, Margaret Crowley, Esq., and Cortney Young addressing the many benefits of including non-attorney mediators on the mediator panel and discussing the burdens to the citizens of Nevada if the panel is restricted solely to licensed Nevada attorneys. I also concur with comment 1 in Robin Sweet's correspondence discussing the scarcity of licensed attorney mediators available to serve the rural counties. Accordingly I urge this Honorable Court to retain the current language of FMR 4(3)(a) and allow experienced non-attorney mediators who meet the requirements of FMR 4(3)(a)(2) to continue their service to all Nevada citizens as members of the mediation panel.

Finally, I fully support the proposed amendments to FMR 4(3)(b) that would require all mediators to complete at least four (4) hours of continuing education ***biennially*** (instead of annually) and expand the range of topics satisfying the educational requirement. I agree with the proposed additions of "in the area of property law" and "as the court may approve" to FMR 4(3)(b) as mediators unfortunately encounter a paucity of courses germane to the Foreclosure Mediation Program and this additional prospective language would provide much-needed flexibility to mediators in obtaining training from a wider number of educational providers and enable mediators to readily complete their educational requirements. Therefore, I urge this Honorable Court to amend FMR 4(3)(b) by adopting the full text of the proposed revised language in the Petition.

Thank you for your kind consideration of my comments regarding ADKT 0435.

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ELIZABETH A. BROWN
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Very truly yours,

[signature]

Andrew Craner, Esq.