

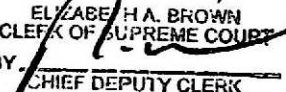
Nevada Coalition of Legal Service Providers
Re: ADKT 567
September 16, 2020

Elizabeth A. Brown
Clerk of the Supreme Court
201 South Carson Street
Carson City, NV 89701

Via E-Mail

FILED

SEP 17 2020

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

**Re: In the Matter of Residential Summary Eviction Actions and Notices
During COVID-19: ADKT 567**

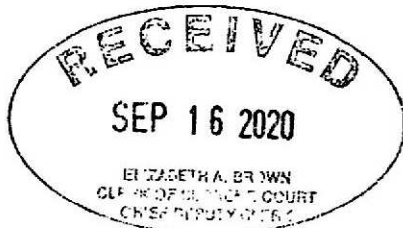
Dear Ms. Brown and Honorable Justices of the Nevada Supreme Court:

The Nevada Coalition of Legal Service Providers wishes to join in support of the letter and attached exhibit submitted by Barbara Buckley and Jim Berchtold of Legal Aid Center of Southern Nevada. As members of the Nevada Access to Justice Commission, we recognize the vital role that a well thought through eviction mediation program will play in navigating these unprecedented times for all parties: tenants, landlords and the Courts. That program must allow equal access to all parties to elect mediation and be structured in a way that seeks to reduce burden on the Courts.

We strongly support Exhibit A, as amended by the exhibit proffered by Legal Aid Center of Southern Nevada. The additions to the proposal address much of the concerns identified by members of the judiciary and legal system. Mainly, concern of inundating a system that will already be overburdened given the forecasted caseloads with additional work. Recognizing the importance of taking action to address the looming crisis, we believe that there is tremendous value to utilizing tried and true methods and partners to ensure our community is served. Home Means Nevada administers the Foreclosure Mediation Program, and the public servants under Business and Industries are able and willing to assist with the administration of this program, ensuring minimal burden and value judgements are required of Court staff.

Under this approach, there will be uniformity across the state and equal access to justice. The additional elements considered in Exhibit B before the Court do not serve these goals. The judgement and proof elements required to ascertain who has adequately proved their need of assistance in this crisis would delay and strain the Courts. Many of the concerns offered by landlords relate to further delay of the evictions they seek to complete. Their goal of expediency is simply not furthered by adding hoops tenants must jump through and avenues to challenge the adequacy of those jumps before mediations can even be scheduled. Further, while not every mediation may result in resolution, every case that is able to settle will not only be a win for the parties involved, but calendar time now available to landlords that may otherwise be facing significant delay obtaining a hearing.

There is value for all parties in mediation. Rental assistance programs have been created with the intent to serve as eviction prevention programs, but without mediation and settlements, they cannot always achieve that goal and may instead operate as landlord repayment programs, with evictions following shortly after repayment because this crisis has no end date in sight. In



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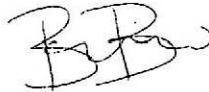
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many cases that will soon come to the Courts, tensions are high and communication has broken down. We in the legal system know that mediation works to facilitate better communication and better outcomes, even among parties who did not mutually intend to reach resolution. Exhibit A as additionally amended can ensure that measures are taken to exhaust better solutions than delays and formal evictions.

We extend sincere thanks to Justice Pickering and Justice Hardesty for recognizing the need our state faces in navigating yet another looming crisis. We are confident that the Nevada Supreme Court will be able to implement a carefully considered and crafted set of rules that will have immeasurable benefit for all parties involved.

**NEVADA COALITION OF LEGAL SERVICE
PROVIDERS**

*LEGAL AID CENTER OF SOUTHERN NEVADA
SOUTHERN NEVADA SENIOR LAW PROGRAM
VOLUNTEER ATTORNEYS OF RURAL NEVADA
WASHOE LEGAL SERVICES*



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