



**STATE OF NEVADA
DEPARTMENT OF INDIGENT DEFENSE SERVICES**

896 W. Nye, Suite 202 | Carson City, NV 89703
(775) 687-8490 | www.dids.nv.gov

I. Executive Summary

The lack of availability of public defense attorneys is an increasing problem in Nevada and neighboring states which threatens the ability of court systems to process criminal filings, particularly within rural areas. The State of Nevada Department of Indigent Defense Services ("Department") is specifically tasked with determining incentives to recommend offering to law students and attorneys to encourage them to provide indigent defense services, especially in the rural areas of the state. (NRS 180.320(2)(f)(2) & Stipulated Consent Judgment in *Davis v. State*). Specifically, a path needs to be created to encourage law students to enter into the practice of indigent defense services and remove barriers to practice in underserved and rural areas of the state. To this end, the Department believes that it is necessary to establish Law Student Supervision Operation ("LASSO") to provide support for job training programs in the public sectors for training, retaining and/or improving the skills of persons employed in this State that are training to practice law in Nevada.

Recognizing that addressing unrepresented persons will require creative solutions, the Department is requesting innovative strategies directed at increasing the number of attorneys practicing in the area of indigent defense services and reducing the number of persons who do not have the court-appointed counsel to which they are entitled. The public defender crisis, which is a national issue, has left hundreds of people languishing in jails or in the community awaiting legal representation. This proposal request to the Nevada Department of Employment, Training and Rehabilitation accomplishes that by requesting training funding, training supports and retention incentives to mitigate the significant gap of public defense attorneys in Nevada's underserved and rural areas.

The Department has offered job training stipends in the past which have successfully encouraged individuals to accept employment in rural counties providing indigent defense services. The Department hopes to continue this positive forward momentum with LASSO.

With LASSO, the Department will coordinate with one or more law schools to place law students in a training programs with experienced public defense attorneys located in underserved and/or rural areas of the state. LASSO will also encourage recent graduates to take employment in a rural public defender office to gain indigent defense services experience by practicing law immediately upon graduation. LASSO will strive to provide real-world and hands-on public defense experience under the mentorship of

the experienced public defense attorneys, including active representation and litigation opportunities, with the purpose of encouraging the student to consider employment opportunities in the practice of indigent defense services in underserved and/or rural areas of Nevada.

Finally, LASSO will provide a stipend for training materials to individuals that have accepted employment at a qualifying office to take the Nevada Bar Exam and continue their practice in providing indigent defense services.

II. Definitions:

“Qualifying Office”: Office at the state or unit of local government who provides legal representation as defined in NRS 180.004. This term can include indigent defense services providers that have a contract to provide first-line primary indigent defense services for a county. Federal and municipal offices are not eligible. The office also must be able to provide supervision for the limited practice of law under Supreme Court Rule (SCR) 49.1, 49.3, or 49.5.

“Rural county” is defined as a county with a population of less than 100,000 people. An individual seeking to practice in a rural county under SCR 49.3 shall have priority in receiving the stipend.

“Underserved county” is defined as a county within Nevada which the Department has determined is struggling to fill indigent defense services vacancies in their qualifying office(s) and would benefit from LASSO.

“Intermediate student” is defined as a student enrolled in a law school approved by the American Bar Association and who has completed at least thirty (30) semester credit hours, or the equivalent.

“Advanced student” is defined as a student enrolled in a law school approved by the American Bar Association who has completed at least forty-five (45) semester credit hours, or the equivalent.

A **“supervising lawyer”** shall be defined by SCR 49.3(4).

III. Term of Program

This request for funding is for a period of two years.

IV. Narrative

A. Training Materials

The Department requests a total of **\$97,500** to serve up to **15** participants with preparation for the Nevada Bar Exam. Qualified individuals will receive a \$6,500

stipend to purchase training materials to prepare for the Nevada Bar Exam. As determined by DIDS, the individual must accept employment at a qualifying office in the State of Nevada and individuals employed by a rural county office will receive preference to receive the stipend.

B. Training and Retention

The Department requests a total of **\$ 325,000** to serve up to **30** participants with an opportunity to enhance legal education by learning through observation and hands-on learning experience while under the direct supervision of lawyers in a public defender setting, with a focus on maintaining service in Nevada's rural and underserved areas.

The program shall have three **funding tiers**:

1. Scout Tier:

Up to a total of **\$65,000** to serve up to **10** students @ **\$6,500 stipend** per student.

- a. Provide training opportunities and support for intermediate students to work and train in a rural and/or underserved Nevada qualifying office for at least 10 weeks (as agreed by the student and supervising lawyer).
 - i. Ten training opportunities with a Qualifying Office ("Public Defender").
 - ii. The training opportunity shall be led by a supervising lawyer that is continuously and personally present through the following activities:
 1. Assisting and counseling the student in the activities and reviewing such activities with the student, to the extent necessary for the proper training of the student and protection of the client.
 2. Reading, approving, and personally signing any pleadings, briefs, or other papers prepared by the student before filing; reading and approving any documents prepared by the student for execution by any person before submission to that person; and reading and approving any correspondence prepared by the student before mailing.
 3. And being present for any appearance by a student before a court or administrative tribunal, if allowed.

2. Trigger Tier:

Up to a total of \$105,000 to serve up to **10** students @ **\$10,500 stipend** per

student.

- a. Provide training opportunities and support for advanced students to work and train in an underserved and/or rural Nevada qualifying office for at least 10 weeks (as agreed by the student and supervising lawyer).
 - i. Ten training opportunities with a Qualifying Office (“Public Defender”).
 - ii. The training opportunity shall be in compliance with SCR 49.3 and led by a supervising lawyer that is continuously and personally present through the following activities:
 1. Assisting and counseling the student in legal practice activities and reviewing such activities with the student, to the extent necessary for the proper training of the student and protection of the client.
 2. Reading, approving, and personally signing any pleadings, briefs, or other papers prepared by the student before filing; reading and approving any documents prepared by the student for execution by any person before submission to that person; and reading and approving any correspondence prepared by the student before mailing.
 3. And being present for any appearance by a student before a court or administrative tribunal.

3. Silver Tier:

Up to a total of **\$155,000** to serve up to **10** limited practice practitioners @ **\$15,500** per training stipend.

- a. To qualify, individuals must accept employment at a rural public defender office and be qualified to practice law by either having either passed the Nevada bar or qualify for a limited practice certification under SCR 49.1 or 49.5.
 - i. Ten positions with qualifying offices in rural Nevada.
 - ii. New hires will be provided with hands-on practice opportunities in the rural public defender offices. The individuals will handle cases, learn local rules, and have an earlier opportunity to improve their skills in providing indigent defense services.

V. More Information

For more information, please email **didscontact@dids.nv.gov** with a subject line of LASSO.

Please fill out an interest form using the following link:
<https://forms.gle/E55qNDMvzW5V6m2w7>