

SENATE BILL NO. 57—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

(ON BEHALF OF THE INTERIM STUDY COMMITTEE ON CRIMINAL
JUSTICE SYSTEM IN RURAL NEVADA AND TRANSITIONAL
HOUSING FOR RELEASED OFFENDERS)

FEBRUARY 15, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Authorizes creation of Nevada Rural and Public
Interest Legal Services Corps within William S.
Boyd School of Law. (BDR 34-184)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to legal services; authorizing the William S. Boyd School of Law of the University of Nevada, Las Vegas, to create a Nevada Rural and Public Interest Legal Services Corps to encourage attorneys to practice in legally underserved areas of the State and to accept employment with certain nonprofit organizations and to administer a program of repayment of educational loans for such attorneys; creating the Account for Nevada Rural and Public Interest Legal Services; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates various programs to encourage certain professionals to seek employment in certain areas of the State which are underserved by that type of professional. For example, the Nevada Health Service Corps recruits certain licensed medical professionals to serve in underserved areas of the State and administers a program under which money for loans is repaid on behalf of those professionals for each year the professional practices in an area of Nevada in which there is a shortage of that type of professional. (NRS 396.899-396.903)

This bill authorizes the William S. Boyd School of Law of the University of Nevada, Las Vegas, to establish a Nevada Rural and Public Interest Legal Services Corps to encourage attorneys to practice in areas of the State which are designated to be legally underserved and to accept employment with nonprofit organizations



whose primary purpose is to provide legal services to those in need in this State. This bill requires the Nevada Rural and Public Interest Legal Services Corps to recruit attorneys and to match attorneys with those areas designated as legally underserved and with those nonprofit organizations designated to participate in the program. This bill further authorizes the Nevada Rural and Public Interest Legal Services Corps to establish and administer a program under which money for educational loans is repaid on behalf of an attorney who practices law in a legally underserved area or in a nonprofit organization that has been designated to participate in the program. The Nevada Rural and Public Interest Legal Services Corps is required to submit a report to the Governor and the Legislature before each legislative session outlining its transactions and funding needs and making any recommendations for legislative action deemed advisable.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. *As used in sections 2 to 12, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Account” means the Account for Nevada Rural and Public Interest Legal Services created by section 11 of this act.*

Sec. 4. *“Boyd School of Law” means the William S. Boyd School of Law at the University of Nevada, Las Vegas.*

Sec. 5. *“Legally underserved area” means an area of rural Nevada that is designated as legally underserved pursuant to section 8 of this act.*

Sec. 6. *“Practitioner” means a person who is:*

1. An attorney licensed and admitted to practice law in the courts of this State; and

2. In good standing as a member of the State Bar of Nevada.

Sec. 7. *“Program” means the program established and administered by the Nevada Rural and Public Interest Legal Services Corps pursuant to section 9 of this act.*

Sec. 8. *1. The Boyd School of Law may establish a Nevada Rural and Public Interest Legal Services Corps to encourage practitioners to practice law:*

(a) In legally underserved areas of rural Nevada; or

(b) In a nonprofit organization whose primary purpose is to provide legal services to persons in need.

2. The primary purposes of the Nevada Rural and Public Interest Legal Services Corps must be to:



1 (a) Designate as legally underserved areas of rural Nevada
2 that it determines to be legally underserved;

3 (b) Designate nonprofit organizations whose primary purpose
4 is to provide legal services to persons in need in this State to
5 participate in the program based on the financial compensation
6 that the nonprofit organizations provide to the practitioners who
7 are employed by the nonprofit organizations;

8 (c) Recruit practitioners for participation in the program; and

9 (d) Match practitioners with:

10 (1) Areas designated as legally underserved; or

11 (2) Nonprofit organizations designated to participate in the
12 program.

13 **Sec. 9. 1.** Within the limits of available money, the Boyd
14 School of Law shall authorize the Nevada Rural and Public
15 Interest Legal Services Corps to establish and administer a
16 program under which money for educational loans is repaid on
17 behalf of a practitioner for each year that the practitioner
18 practices law in a legally underserved area or in a nonprofit
19 organization designated to participate in the program.

20 2. Within the limits of available money, the Nevada Rural
21 and Public Interest Legal Services Corps shall:

22 (a) Establish and administer the program; and

23 (b) Carry out the purposes and duties set forth in sections 2 to
24 12, inclusive, of this act.

25 3. The Nevada Rural and Public Interest Legal Services
26 Corps may:

27 (a) Apply for any grants or matching money available for the
28 program from the Federal Government.

29 (b) Solicit and accept gifts, grants and donations from any
30 source.

31 (c) Adopt any regulations necessary to carry out the provisions
32 of sections 2 to 12, inclusive, of this act.

33 **Sec. 10.** The program established pursuant to section 9 of
34 this act must:

35 1. Require a practitioner to contribute a minimum amount
36 toward the repayment of his educational loans which must be not
37 less than 5 percent of the monthly salary of the practitioner.

38 2. Limit the amount of a practitioner's educational loans that
39 may be repaid on behalf of the practitioner for each year that the
40 practitioner practices law under the program to not more than 20
41 percent per year.

42 **Sec. 11. 1.** There is hereby created the Account for Nevada
43 Rural and Public Interest Legal Services in the State General
44 Fund.



2. *The Account must be administered by the Nevada Rural and Public Interest Legal Services Corps.*

3. *All money received by the Nevada Rural and Public Interest Legal Services Corps pursuant to sections 2 to 12, inclusive, of this act, including, without limitation, all money received from gifts, grants, donations, the Federal Government or any other source, must be deposited into the Account.*

4. *The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.*

5. *The money in the Account must be used solely to:*

(a) *Defray the costs and expenses of the Boyd School of Law and the Nevada Rural and Public Interest Legal Services Corps related to carrying out and administering the provisions of the program; and*

(b) *Repay the educational loans of practitioners who are participating in the program.*

Sec. 12. 1. *The Nevada Rural and Public Interest Legal Services Corps shall keep accurate records of its activities and shall report those activities to the Governor and the Legislature before September 1 of any year preceding a regular session of the Legislature, setting forth in detail:*

(a) *The transactions conducted by Nevada Rural and Public Interest Legal Services Corps during the biennium ending June 30 of such a year; and*

(b) *The need, if any, for legislative appropriations to fund the program.*

2. *The Nevada Rural and Public Interest Legal Services Corps may make recommendations for any legislative action deemed to be advisable, including, without limitation, amendments to any statutes that may be necessary or appropriate to carry out the intent and purposes of sections 2 to 12, inclusive, of this act.*

Sec. 13. *This act becomes effective on July 1, 2005.*

