

SENATE BILL NO. 37—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Judiciary

SUMMARY—Authorizes governmental attorneys to volunteer as third-party neutral mediators under certain circumstances. (BDR 1-428)

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

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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 attorneys; authorizing governmental attorneys to volunteer as third-party neutral mediators under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law generally prohibits the Attorney General, city attorneys, district attorneys, the Legislative Counsel and the attorneys employed in their respective offices from defending any person charged with a crime, but authorizes any attorney employed by the State of Nevada or any agency or political subdivision of the State to represent an indigent person in proceedings under certain circumstances. (NRS 7.065, 7.105) This bill additionally authorizes attorneys employed by the State of Nevada or any agency or political subdivision of the State to serve as third-party neutral mediators under certain circumstances.

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

Section 1. NRS 7.065 is hereby amended to read as follows:
7.065 Except as otherwise provided by a specific statute, any attorney employed by the State of Nevada or any agency or political subdivision of the State may ~~represent~~ :
1. Represent an indigent person in any proceeding if:



~~[1-]~~ (a) The attorney first receives the permission of his or her supervisor, if any, to represent the person in that proceeding;

~~[2-]~~ (b) The interests of the indigent person in that proceeding do not conflict with the interests of the State or the attorney's employer;

~~[3-]~~ (c) The representation is provided through or in association with an organization that provides free legal assistance to indigent persons; ~~[and]~~

~~[4-]~~ (d) The attorney receives no compensation for the representation ~~[.]~~; and

(e) The attorney ensures that his or her professional conduct complies with the Nevada Rules of Professional Conduct.

2. Serve as a third-party neutral mediator to help parties resolve a dispute or other matter if:

(a) The attorney first receives the permission of his or her supervisor, if any, to serve as a third-party neutral mediator in that dispute or matter;

(b) The interests of the mediating parties do not conflict with the interests of the attorney's employer.

(c) Such service as a mediator is provided through, or in association with, an organization that provides free mediation services to individuals;

(d) The attorney receives no compensation for such service; and

(e) The attorney ensures that his or her professional conduct complies with the Nevada Rules of Professional Conduct.

