

Small Claims Ask-A-Lawyer Program

Volunteer Manual

Every 1st and 3rd Tuesday
10:00 a.m. to 12:00 p.m. and 1:00 p.m. to 3:00 p.m.

Civil Self-Help Center, First Floor
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

Sponsored by:

LEGAL AID CENTER Since 1958
of Southern Nevada



**Civil Law
Self-Help Center**



Ask-A-Lawyer

Volunteer Program Manual

What is the Small Claims Ask-A-Lawyer Program?

The Small Claims Ask-A-Lawyer (AAL) program was developed in partnership between the Civil Law Self-Help Center (SHC) and Legal Aid Center of Southern Nevada (Legal Aid Center). The goal of the Small Claims AAL is to expand access to justice in the State of Nevada by providing a free, fifteen minute consultation with a volunteer attorney to pro se litigants with small claims questions and/or legal issues.

When and where does the Small Claims Ask-A-Lawyer Program take place?

The Small Claims AAL occurs every 1st and 3rd Tuesday during two sessions: morning from 10:00 a.m. to 12:00 p.m., and afternoon from 1:00 to 3:00 p.m. at the Civil Law Self-Help Center located in the Regional Justice Center at 200 Lewis Avenue, Las Vegas, NV 89155. Unfortunately, parking is quite limited. Some options include: covered metered parking in the garage across the street on 3rd, uncovered metered parking behind the courthouse and on the streets, and the valet service directly across the street from the courthouse entrance on Lewis.

What do I do when I get there?

When you arrive at the Self-Help Center (SHC), please identify yourself to the SHC staff as a pro bono Ask-A-Lawyer volunteer. You should be asked to sign-in and will be directed to the office you will use for the afternoon to meet with litigants.

What should I know about the litigants I will see?

It is important to understand that some litigants have already been waiting for quite some time when the Program starts. Additionally, they have been asked to identify their legal problem in an attempt to assure that it is indeed a small claims matter.

The Program was initially designed to provide assistance to customers of the SHC who are representing themselves because they cannot afford to hire an attorney. However, some litigants may be able to hire counsel. Others are very capable of representing themselves with just a little coaching and guidance.

Each litigant seeking to meet with an advocate will complete a Questionnaire (Attachment A). Review this form at the start of each meeting with a litigant to help assess the litigant's needs. Also, be sure each litigant you interview has signed the Disclaimer on the bottom of the Questionnaire. This Disclaimer makes clear to the litigant that you are not going to represent him/her and that an Attorney/Client relationship is not being created. Additionally, different legal advice might be appropriate if additional facts not disclosed to the advocate in the interview were provided. As a result, it is important for your protection and the continuation of the Program, that all litigants sign the Disclaimer before receiving a consultation.

How do I get started?

Self-Help Center staff will provide you with the Questionnaire for the litigant you will see and will escort the litigant back to your designated meeting space and begin the interview.

What kind of assistance can I provide?

1. Legal Information – Advocates may provide legal information to litigants about court papers and procedure. They may assist litigants with step-by-step information and instructions regarding the filing of papers and service on the opposing party. They may walk the litigant through the process, provide the litigant with a checklist, and even accompany the litigant to the clerk’s filing window.
2. Legal Strategy/Advice – Advocates may provide litigants with legal advice and assist litigants in developing legal strategy and preparing to present a case to the Court.
3. Review of Forms – Advocates can review litigant forms for form choice and content. They can check forms for completion and for necessary attachments. They can assist litigants in completing forms.
4. Referral to Other Resources –
 - a) Advocates may use the Legal Referral List provided (and included as Attachment B) to refer litigants to other legal resources.

What shouldn’t I do?

Volunteer attorneys are not permitted to distribute business cards, nor to solicit business for themselves or others. Volunteers are not permitted to make referrals other than to those programs identified on the Legal Referral Sheet.

Volunteer attorneys should not meet with both parties involved in a dispute. If both parties are present, each should be seen by a separate attorney. Additionally, the parties can be referred to the Neighborhood Justice Center to attempt to mediate the matter.

Volunteer attorneys should not give information or advice when they are unsure it is accurate or appropriate. A member of the SHC Staff will be bringing litigants to you. If you are uncertain about how to answer a particular question, excuse yourself and find the SHC Staff. The SHC Staff or another volunteer attorney can consult with you to ensure you are giving accurate information and appropriate advice.

Try not to get behind schedule. Litigants are told they will get a consultation with an attorney that will last approximately 15 minutes. If a litigant presents a relatively simple issue and the consultation only requires 5 minutes of your attention, explain to the litigant that there are many additional litigants waiting to be seen. Additionally, try not to spend longer than 15 minutes with a litigant. Some litigants would spend the day telling you their lives’ stories if you let them. Try

to keep them focused on their specific small claims matter. There are typically several litigants waiting to be seen and we would like to give everyone assistance in a timely manner.

Volunteers should not meet with a litigant if they believe they have a conflict of interest. If you determine that you have a conflict, request that one of the other legal advocates meet with that particular litigant. If after speaking briefly with a party, you recognize the facts and believe there is a conflict, excuse yourself and request that one of the other legal advocates meet with that particular litigant. There is no need to disclose that you have had a consultation with the opposing party, as disclosure could be deemed a breach of confidentiality. [NOTE: **NRPC 6.5. Nonprofit and Court-Annexed Limited Legal Services Programs** essentially says that when a lawyer is participating in a program like this, the conflict rules (i.e. NRPC 1.7, 1.9 and 1.10) only apply if the lawyer knows there is a conflict.]

What do I do at the end of each interview?

Once the consultation is concluded, please complete the back of the Questionnaire, noting the date, your name, and the type of referrals made. Also, please briefly describe the advice given/services provided. This information is vital for your malpractice insurance coverage through Legal Aid Center of Southern Nevada's Pro Bono Project during Ask-A-Lawyer.

These forms will be maintained at Legal Aid Center of Southern Nevada for reference in the event of complaints, or subsequent requests for assistance, as well as for statistical information. As a result, it is important that this form is filled out completely and accurately. Thank you for your anticipated cooperation.

What do I do at the end of the afternoon?

Once the program is concluded (i.e. all litigants have been seen), **please return all questionnaires to Self-Help Center Staff.**

Will I get Pro Bono "Credit" for the time I spend at Ask-A-Lawyer?

Yes. As long as you sign-in each time you participate in the Program, two hours will be reported back to the Pro Bono Project at Legal Aid Center of Southern Nevada and those hours will be considered just like the pro bono hours attorneys donate on pro bono cases.

However, please keep track of the hours you spend at the Program, as you will be required to report your pro bono hours to the State Bar pursuant to Rule 6.1 of the Rules of Professional Conduct at the beginning of each year (i.e. in early 2018 for the 2017 reporting period).

How do I sign up to volunteer?

You may contact the Pro Bono Project at 386-1070, ext. 1444 or probono@lacsnsn.org for a list of available shifts.

THANK YOU SO MUCH FOR VOLUNTEERING FOR THE ASK-A-LAWYER PROGRAM!!!

Please do not hesitate to contact us if you have any questions, problems, or suggestions as to how we might improve the Program.

Noah Malgeri, Esq.
Pro Bono Project Director
Legal Aid Center of Southern Nevada
725 E. Charleston Blvd.
Las Vegas, NV 89104
702-386-1070, ext. 1429
nmalgeri@lacsnsn.org

Lauren Peña, Esq.
Directing Attorney
Civil Law Self-Help Center
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155
702-386-1070 (leave message with receptionist)
lpena@lacsnsn.org

Attachment A

Litigant Questionnaire

This questionnaire must be filled out prior to your meeting with an advocate.

(Debe rellenar este cuestionario antes de ver al abogado)

First Name: _____ <i>(Nombre)</i>	Last Name: _____ <i>(Apellido)</i>	Gender: M _____ F _____ <i>(Sexo) (V) (H)</i>
Date of Birth: _____ <i>(Fecha de Nacimiento)</i>	Telephone #: _____ <i>(Nº Teléfono)</i>	
Address: _____ <i>(Dirección)</i>	City/State/Zip: _____ <i>(Ciudad/Estado/Código Postal)</i>	
Your Gross (Before Taxes or Deductions) Monthly Household Income: \$ _____ <i>(Sus Ingresos Brutos Mensuales en el Hogar (antes de los impuestos o retenciones))</i>		
Full name of other person or company involved in this matter: _____ <i>(Nombre completo de la otra persona involucrada en este asunto)</i>		
Number of people in your household:	# of Adults _____	# of Children _____ <i>(Nombre de personas en su hogar) (Nº de Adultos) (Nº de Niños)</i>
Language spoken in home:	English _____	Spanish _____ Other _____ <i>(Idioma que se hablan en la casa) (Inglés) (Español) (Otro)</i>
Race (check one):	Caucasian _____	African American _____ Asian _____ Native America _____ Hispanic _____ Pacific Islander _____ <i>(Raza (Marque uno)) (Caucásico) (Afro Americano) (Asiático) (Nativo de America) (Hispano) (De las Islas del Pacífico)</i>
Please send me a newsletter. Email address: _____ <i>(Por favor, envíeme un boletín. Correo electrónico:)</i>		

Please complete the statements below with regard to the problem you wish to discuss: (circle one)

(Por favor completa las siguientes oraciones relacionadas con el problema del que quiere hablar: (marque con un círculo))

1. I want to sue someone in small claims.

(Deseo demandar a alguien en pequeños reclamos).

I am being sued in small claims.

(Me están demandando en pequeños reclamos)

Something else (describe): _____

(Algo más) (Describa)

2. The name of the person or business I want to sue (or the person or business suing me) is:

El nombre de la persona o empresa que quiere demandar (o la persona o empresa demandando a usted) es:

3. Something has already been filed with the court in this matter:

(Ya he procesado una acción en el juzgado en este asunto:)

Yes **No** **If yes, please describe:** _____

(Sí)

(No)

(Si contestó sí, por favor describa:)

4. I have an attorney assisting me with this matter: Yes No

(Tengo un abogado que me esta asistiendo en este asunto:)

(Sí)

(No)

5. The other party has an attorney assisting in this matter: Yes No

(La otra parte tiene un abogado asistiendo en este asunto)

(Sí)

(No)

Describe your legal problem: _____

(Describa su problema legal)

Disclaimer: Participation in the Ask-A-Lawyer Program does not establish an Attorney/Client relationship. The advocate is not offering or agreeing to represent you in any legal matter. Assistance is based only on a brief review of the facts disclosed. Additional facts may result in different legal information being provided. Neither Legal Aid Center of Southern Nevada, its volunteers, nor the Civil Law Self-Help Center is responsible for the outcome of your case, which is decided by a judge, based on the facts and the law. We recommend that you consult with a private attorney concerning the facts of your case prior to filing any document.

(AVISO LEGAL: El participar en el Programa de Consulte a Un Abogado[Ask-A-Lawyer] no establece una relación de Abogado/Cliente. El abogado no está ofreciendo ni acordando representarle en ningún asunto legal. La ayuda se basa solamente en una breve revisión de los hechos revelados. Si existen hechos adicionales podrían cambiar la información legal proporcionada. Ni Legal Aide of Southern Nevada, ni sus voluntarios, ni el Centro de Auto-Ayuda Legal. Le recomendamos que consulte con un abogado privado con respecto a los hechos de su caso antes de procesar cualquier documento.)

I have read and understand the Disclaimer: _____

(He leído y entiendo el Aviso legal:)

Attachment B

Legal Referral List

LEGAL REFERRAL LIST

Clark County Public Response Office, Code Enforcement(702) 455-4191

- Clark County code enforcement and forms

Henderson Code Enforcement(702) 267-3950

- Henderson code enforcement and forms

Las Vegas Constable(702) 455-4099

302 E. Carson, 5th floor, Las Vegas, NV

- Service of eviction notices; information regarding lockout procedure.

Las Vegas Neighborhood Response, Code Enforcement(702) 229-6615

- Las Vegas code enforcement and forms.

Legal Aid Center of Southern Nevada / Pro Bono Project(702) 386-1070

725 E. Charleston Blvd., Las Vegas, NV

www.lacsn.org

- Provides some assistance with landlord tenant matters. Will consider matters involving lease disputes, return of security deposits, loss of belongings, and habitability issues. Will NOT consider eviction matters (including mobile home evictions), public and subsidized housing matters, and anything time-sensitive or on an emergency basis. For assistance with these matters, see Nevada Legal Services below.
- Free legal assistance with civil issues: bankruptcy, consumer protection (car purchase problems, car repair disputes, debt collection, garnishment, landlord/tenant disputes (not mobile home evictions and evictions involving public/subsidized housing) payday loans, real estate problems, etc.) custody/paternity, divorce, domestic violence, foreclosure, guardianship, probate/estate, and social security. Free classes on small claims, divorce, bankruptcy, paternity/custody, guardianship, and foreclosure mediation.
- Applicants must be residents of Clark County; meet eligibility guidelines, including income eligibility based on household income and number in household (details available at www.lacsn.org); may not have more than \$5,000 in net assets other than one motor vehicle and/or work related equipment.

Neighborhood Justice Center(702) 455-3898

330 S. Third Street, Suite 600, Las Vegas, NV

- Free mediation services with respect to landlord/tenant (and other) disputes

Nevada Legal Services (Main line)(702) 386-0404

Nevada Legal Services (Tenants Rights Center)(702) 383-6093

530 South Sixth Street, Las Vegas, NV

- Assistance with mobile home evictions, evictions involving public/subsidized housing, denial of government benefits, such as welfare, food stamps, unemployment, and Social Security SSI.
- Applicants must be U.S. citizens or have U.S. residency; income eligibility based on household income and number in household (generally 200% of federal poverty level, 350% on some matters); no income limits for seniors 60 and above; for mortgage foreclosures, 80% of area median income.

North Las Vegas Code Enforcement.....(702) 633-1677

- Code enforcement and forms

Southern Nevada Health District Code Enforcement(702) 759-0697

- Code enforcement and investigation of health code violations

Southern Nevada Senior Law Program(702) 229-6596

530 Las Vegas Blvd. Ste. 310, Las Vegas, NV

- Assistance with landlord/tenant disputes, homesteads, simple wills for estates valued at 50K or less excluding home, elder abuse intervention, advanced directives, etc.
- Applicants must be Clark County residents, 60 years or older.

State Bar of Nevada Lawyer Referral Service(702) 382-0504

600 E. Charleston Blvd., Las Vegas, NV

- Provides lawyer referrals, including \$45 consultations
- *Reduced Fee Panel* -- Applicant may qualify for attorney at reduced rate if case involves family law, bankruptcy, landlord/tenant, or consumer law; income qualified (300% of federal poverty level); Nevada resident; assets less than \$5,000 (excluding equity in residence up to \$10,000 and one automobile).

Disclaimer: The information above was compiled by Legal Aid Center of Southern Nevada and believed to be current and accurate as of December 28, 2015. Information, including addresses, phone numbers, and eligibility criteria is subject to change without notice.