

**State of Nevada Certified Court Reporters Board  
Open Meeting – February 13, 2025  
Agenda Item #6**

**For possible action; review and discussion to designate continuing education credits by providing pro bono work pursuant to NAC 656.400.**

Speaker: Carla Bywaters, CCR #866

**Guidelines for Nevada Attorneys:**

**Nevada Supreme Court Approves Awarding Continuing Legal Education Credit for Pro Bono Service - News date Feb 13, 2020**

Today the Nevada Supreme Court entered an order amending the rules requiring continuing legal education (CLE) to provide Nevada lawyers the opportunity to earn CLE credit for pro bono civil representation and related services for low-income Nevadans with unmet civil legal needs.

Under the amendment to Supreme Court Rule 210, attorneys can earn one (1) CLE credit hour for every three (3) hours of uncompensated legal services up to a maximum of four (4) CLE credit hours per year. Attorneys must perform pro bono hours through a legal aid service organization, court, or governmental program approved by the Supreme Court Access to Justice Commission.

Chief Justice Kristina Pickering and Justice James Hardesty, who co-chair the Nevada Access to Justice Commission, filed a joint petition proposing the rule amendment late last year as ADKT 551. The Supreme Court heard comments in favor of the rule change during an En Banc session on Jan. 23 in Las Vegas.

Speakers who supported the new rule included Paul Matteoni, president, State Bar of Nevada; Patricia Lee, chair, and Noah Malgeri, pro bono project director, Legal Aid Center of Southern Nevada; John Courtney, chair, Nevada Legal Services; Sheri Vogel, executive director, Southern Nevada Senior Law Program; and James Conway, executive director, Washoe Legal Services. In addition, the Access to Justice Commission, Volunteer Attorneys for Rural Nevadans (VARN) and Nevada Board of Continuing Legal Education cooperated on drafting the rule.

A recent report from the Access to Justice Commission, Nevada Statewide Study of Legal Needs and Economic Impacts, found that 76 percent of financially struggling Nevadans have unmet civil legal needs. Many lose their case, not because they did something wrong, but because they did not get the legal help they needed.

Paul Matteoni, State Bar of Nevada president said, “The State Bar supports this positive new initiative allowing our attorney members to obtain continuing legal education credit by assisting persons of limited means.”

Chief Justice Pickering noted that 15 other states have adopted similar rules, acknowledging both the need for pro bono services and the educational value pro bono work provides lawyers. “CLE credit for pro bono volunteer work is a creative and meaningful way to promote access to justice,” Chief Justice Pickering said.

Justice James Hardesty, co-chair of the Access to Justice Commission added, “This is a great opportunity for members of the bar to earn CLE credits by engaging in the practice of law, while helping someone in need.”

To meet this need, the Supreme Court, Access to Justice Commission, and the State Bar of Nevada sponsor the One Campaign aimed at encouraging attorneys to take one pro bono case and help one low-income civil litigant. The Supreme Court expects the amendment to Rule 210 to increase participation in the One Campaign.

The public and attorneys can find more information about pro bono legal services and volunteering at <https://nvbar.org/for-the-public/pro-bono-for-the-public/>.

### **Supreme Court Rules**

**Rule 210. Minimum continuing legal education requirements; credit for pro bono cases.** To meet the annual minimum continuing legal education requirements imposed by these rules, each attorney subject to these rules must timely: submit required fees, complete the requisite number of credit hours, and provide such other information as the board may require.

1. Annual fee. The amount of the annual fee will be determined by the board, but will not exceed \$40. The annual fee shall be due January 1 and shall be payable on or before March 1 of the year for which the fee is required to be paid.

2. Credit hours.

(a) Subject to the carry forward provisions of subparagraph (b), a minimum of 13 hours of accredited educational activity, as defined by the regulations adopted by the board, must be completed by December 31 of each year. Of the 13 hours, at least two shall be exclusively in the area of ethics and professional conduct and one shall be exclusively in the area of substance abuse, addictive disorders and/or mental health issues that impair professional competence. Attorneys entitled to an exemption pursuant to Rule 214(1)(a) must complete the requirement within the same calendar year in which they are first subject to continuing legal education requirements.

(b) Any attorney subject to these rules who completes more than 13 hours of accredited educational activity in any calendar year may carry forward up to 20 hours of excess credit and apply the same to the attorney’s general educational requirement for the next two calendar years. Likewise, any attorney subject to these rules who completes more than two hours of ethics and professional conduct credit in any calendar year may carry forward up to four hours of excess credit and apply the same to the attorney’s ethics and professional conduct educational requirement for the next two calendar years.

(c) Any attorney subject to these rules who completes more than one hour in the area of substance abuse, addictive disorders and/or mental health issues that impair professional competence may carry forward up to two hours of excess credit and apply the same to the attorney’s substance abuse, addictive disorders and/or mental health issues requirement for the next two calendar years.

3. Credit for pro bono cases. An attorney may earn continuing legal education credit by providing uncompensated pro bono representation or service through a nonprofit legal aid organization that receives IOLTA funds pursuant to SCR 216(1) or through a program sponsored by a court or governmental organization that is either co-sponsored by such a legal aid organization or approved by the Nevada Access to Justice Commission or its designee. An attorney may obtain one hour of general credit for each three full hours of uncompensated legal services performed for a maximum of four hours of continuing legal education credit per year. To obtain credit, the attorney must

report completion of uncompensated pro bono civil legal representation or service to the entity that provided the case or service opportunity to the attorney; the entity shall then submit the appropriate number of continuing legal education credits to the board on behalf of the attorney. The board shall not assess fees for continuing legal education credits awarded pursuant to this rule.

4. Affirmation of attendance. No later than December 31, an attorney must submit to the board an affirmation of attendance listing all courses of continuing legal education attended during the year and the number of credit hours the attorney is claiming for each course. The affirmation of attendance constitutes an attorney's representation under penalty of perjury that the attorney attended and participated in the listed course of continuing legal education for the hours represented on the affirmation. The provisions of Rule 212 are applicable to the affirmation of attendance.

5. CLE credit compliance. The board shall establish regulations providing for review of its determination of the CLE credits earned by an attorney and for resolving disputes. The regulations shall provide for the random audit of attorneys' affirmations of attendance to verify attorney compliance with CLE requirements.

Please see NAC 656.310(5a) and NAC 656.400.

**NAC 656.310 Conflicts of interest; limitations on gifts.** ([NRS 656.130](#), [656.250](#))

1. Except as otherwise provided in this section, a court reporter shall not provide services as a court reporter in a proceeding if the court reporter:
  - (a) Is an employee or independent contractor of a party to the proceeding or an attorney who represents a party to the proceeding;
  - (b) Is a relative within the third degree of consanguinity or affinity of a party or attorney specified in paragraph (a);
  - (c) Has a financial interest in the proceeding; or
  - (d) Has any other relationship that may reasonably cause the impartiality of the court reporter to be questioned.
2. If a court reporter discovers a conflict of interest or potential conflict of interest pursuant to this section, the court reporter shall disclose the conflict of interest or potential conflict of interest to each party who is present at the commencement of the proceeding. After the disclosure, the court reporter may provide services as a court reporter in the proceeding if each party to the proceeding and each attorney who represents a party in the proceeding authorizes the court reporter to provide services.
3. If a court reporter discloses a conflict of interest or potential conflict of interest pursuant to subsection 2 and if each party and attorney for each party authorizes the court reporter to provide services as a court reporter pursuant to that subsection, the court reporter shall include the following parenthetical statement in the record of the proceeding:

(The reporter made a disclosure pursuant to subsection 2 of [NAC 656.310](#) and noted the specific conflict of interest in the record.)

Ê In addition, the court reporter shall include in the record a statement from each party and attorney for each party indicating that the disclosure was made and that the party and attorney authorized the provision of services.

4. If a court reporter prepares a transcript of a proceeding, the court reporter shall attach a page to the transcript certifying that the court reporter is not prohibited from providing services pursuant to subsection 1. If the court reporter discloses a conflict of interest or potential conflict of interest pursuant to subsection 2, the court reporter shall amend the page certifying the transcript to include the information required pursuant to subsection 3.
5. Except as otherwise provided in this subsection, a court reporter or firm shall not give or receive, directly or indirectly, a gratuity to or from an attorney, client, witness, insurance company or any other person associated with any litigation in which the court reporter or firm provides services. A court reporter or firm may:
  - (a) Give or receive pens, pencils, coffee mugs, other paraphernalia that is printed or otherwise produced for the purpose of advertisement, and meals and refreshments not to exceed in the aggregate \$100 per year. Any thing of value given or received by a court reporter or firm with a value of less than \$5 will not be counted for purposes of the annual aggregate limit.
  - (b) **Provide pro bono services in accordance with applicable law.**
6. The advertisement of any gratuity is prohibited.
7. As used in this section, "gratuity" includes, without limitation, any item, gift, incentive, reward, cost of entertainment, favor, premium, award, consideration, financial kickback, inducement, prize, promotional material, discount, rebate, points or credits that may be exchanged for things of value, or any other item of monetary value. The term does not include compensation received by a court reporter or firm for providing service as a court reporter.

**NAC 656.400 Cooperation with and donation of services to organizations that provide legal services to indigents encouraged.** ([NRS 656.130](#)) The Board encourages each court reporter to cooperate with and donate services to organizations that provide legal services to indigent persons, including, without limitation, programs for legal services described in [NRS 12.015](#).