



With Perseverance We Shall Prevail
By: *Lonnice Powers*
Executive Director Massachusetts Legal Assistance Corporation

It is a cold gray November day. Snow fell earlier this year than usual. Darkness lingers longer each morning and arrives sooner each afternoon. Darkness, snow and cold presage the end of the year, bringing thoughts of the recent losses we have suffered individually and collectively.

We have lost friends and colleagues to death and serious illness. We have also seen valued colleagues leave our programs because we could not afford to pay them. Those losses, grievous as they are, mirror the losses our clients suffer daily. They have lost family, homes, jobs and, in all too many cases, hope. But even as we must grieve, we like they, are sustained by the vibrant community of which we are part.

To aid our community in supporting one another in these trying times, we have set up a blog, Legal Aid Connection <http://mlac.wordpress.com>. We urge you to contribute to the blog by writing about remembrances of lost colleagues, memories of past and current triumphs and defeats, reflections on their hopes for the future and suggestions for other ways we can support one another. We hope you participate, even if that means simply reading others' comments.

The departed are not gone, they remain with us in our hearts and our minds. Their absence is palpable: the empty desk in the next office, the e-mail or contact you never can bring yourself to delete, the memory of a kindness, recollections of useful instructions or even disagreements perhaps never resolved. Our community has lost through death many valuable members since December 2007. I, and the others of us of the same age, recognize that we will continue to lose our contemporaries to death, illness and retirement. That this is expected and natural does not lessen the pain. The examples that we are left by those who labored so long beside us sustain and inspire us today and for the future.

The pain of the deaths and sicknesses of our friends and colleagues is echoed and sharpened by the departures and layoffs of those who have worked with us. Their absence is the inevitable consequence of the loss of so much income from IOLTA and the Commonwealth. The loss also means that just when there are many more clients who need our services, we have far fewer

resources with which to assist them. All of these losses grieve us, make us sad and at times almost despair.

But there are glimmers of hope from the strengthening of the overall economy. We can realistically expect that during the next year the economy will improve and with it the money available to support our work for low income people. Despite the pain and loss, we continue to demonstrate our resilience and dedication. In the face of the losses we have suffered recently, you continue to provide outstanding legal representation and assistance to clients.

Just as there will be a little more daylight every morning after the Winter Solstice and finally, at some as yet unknown point in May or June, spring in New England, there is reason for hope now and even more reason to believe that things will get better. Until then our shared sense of community will sustain us. We grieve together the loss or illness of one of our number. We support each other in our personal lives and in our work lives. We reflect together on all of the lessons we've learned from one another over the years. We join together to achieve justice for clients. We share a commitment to justice.

Thank you for all that each of you do individually and collectively to make justice for all a reality. I am honored to live and work among you.

Trustees

David C. McElhinney, Esq.
Chairperson

Robert T. Eglet, Esq.
Vice Chairman

Sarah Guindy
Secretary/Treasurer

Vince Consul, Esq.
G. Dallas Horton, Esq.
Nelson Mackenna
Robert Maddox, Esq.
Roberta Prutzman
Matthew Sharp, Esq.

Change for the Future

By David G. McElhinney

On November 20, 2009, the Board of Trustees of the Nevada Law Foundation considered and approved \$1,680,450.00 in IOLTA grants to 16 worthy legal service and education providers. In a tough economic climate and one in which many IOLTA foundations are struggling and watching their IOLTA dollars shrink to record low numbers, we are fortunate to have been able to distribute the largest sum of IOLTA money in the Foundation's history, exceeding last year's distribution of \$1,074,500.00. A special thank you to all of the banks that agreed to pay the higher interest rates on their IOLTA deposits. Without you, this large distribution would not have been possible.

As most of you know Suzan Baucum has been the heart and soul of the Nevada Law Foundation and its Executive Director for the last 18 years. I have proudly served on the Board of Trustees for the Nevada Law Foundation for the last two years, and as its Chairperson for all of 2009. It has been a year of challenges and changes for the Foundation. I can tell you from personal experience and observation that the Foundation has benefited immeasurably through these tough times under Ms. Baucum's steady and calm guidance and direction.

Ms. Baucum sat back, quietly watching the turbulent events unfold over the last several years, continuing throughout to offer her seasoned and well reasoned observations and recommendations to the Board. Perhaps, given her 18 years of service to the Nevada Law Foundation, Ms. Baucum had the Board at an advantage. She had a unique perspective that comes with the passage of time at the Foundation that the Board could not possibly have possessed. And from that unique perspective she could perhaps see the things we could not see. In any event, at some point in time, (she has to

this day not told me when she came to her decision) Ms. Baucum decided, from her unique vantage point, that it would be in the best interests of the Nevada Law Foundation to submit her resignation. She told me that by doing so it was her hope that some of the turmoil would cease and that ultimately her departure would make more IOLTA funds available to the legal service providers. She also told me, and she will probably hate me for putting this in the newsletter, that this was one of the toughest decisions she ever had to make and that she felt like she was walking away from her child, one that she had raised and nurtured for the last 18 years. She acknowledged the sense of loss that accompanied her decision, but throughout our discussions she remained steadfast that this was best for the Foundation and for the providers. I was unable to persuade her to the contrary.

On October 9, 2009, Ms. Baucum formalized what she had told me two weeks earlier by submitting her written letter of resignation, announcing her departure from the Foundation effective January 1, 2010. Robert Eglet received and read the letter aloud to the assembled Board of Trustees. All of the Board members were stunned and saddened at the announcement. Suzy addressed the Board, setting forth her rationale and expressing to us her sincere hope that the Foundation, of which she is so fond, would eventually, if not immediately, benefit from her decision.

History will be the judge of how the Nevada Law Foundation will fare into the future without Ms. Baucum as its Executive Director. I will spare you my predictions, but nonetheless applaud Ms. Baucum for her pure and selfless motivation to benefit the Foundation and those it serves. It is clear to me that the Nevada Law Foundation is on the brink of a new phase of its existence.



*David McElhinney, Esq.
Chairperson*

Effective January 1, 2010, the Nevada Law Foundation will go forward without an Executive Director. IOLTA functions previously performed by Ms. Baucum will be contracted to an outside provider which will, if all goes as planned, significantly reduce our IOLTA administrative costs, and which in turn will make more IOLTA funds available to the legal service providers.

I abhor change. It confuses me and causes me to say stupid things like, "Why can't things just stay the way they are." I suppose I am a bit embarrassed at Ms. Baucum's ability to look change in the eye, to even have had a hand in bringing about that change without so much as a flinch or a whimper. May I one day be as graceful.

The Board of Trustees wants to thank Ms. Baucum for her years of service and leadership to the Foundation. We can think of no finer venue in which to express our heartfelt thanks than the April 10, 2010 Silver Ball where she will be saluted as our guest of honor. Please join us for an evening of looking back at what was, looking forward at what will be, and an evening of tribute and thanks to the person who has played a significant role in both.

Thank you



The Trustees and Staff
of the
Nevada Law Foundation
would like to thank
Bank of Nevada
for
Sponsoring the
Pro Bono Week Celebration
October 28, 2009

Save The Date!
Seventeenth Annual Silver Ball
Saturday, April 10, 2010

Please join the Nevada Law Foundation Trustees and Dinner Committee on Saturday, April 10, 2010 for the Seventeenth Annual Silver Ball. Benefiting the Foundation, this event will be held at the Four Seasons Hotel in Las Vegas, and will honor the Foundation Colleagues. As in the past, it promises to be a very entertaining and fun evening that you won't want to miss.

Since the first grant in 1987, in the amount of \$75,400, Interest on Lawyers' Trust Accounts (IOLTA) monies have been used to fund nearly nine million dollars to help the following organizations:

- CAAW
- CASA
- Legal Aid Center of Southern Nevada
- Nevada Legal Services
- S.A.F.E. House
- Clark County Law Foundation Trial By Peers
- Senior Law Programs
- Volunteer Attorneys for Rural Nevada
- Washoe Legal Services

However, with the rapid growth of our state, and with recent events in our country resulting in heavy layoffs, and the lowest interest rates in history, we need to increase our funding by 50% in an attempt to cover the growing needs of our communities and the deficits facing our grantees.

This year, we would be honored to include your name on our invitation as one of our table sponsors. A table of ten is \$2,500 or \$250.00 per person. Your donation will make a difference to our community, and to our profession!

Make a difference! Send your check today for the Seventeenth Annual Silver Ball, which will be held on April 10, 2010. **Please return the reservation form on the next page by February 2, 2010, to guarantee your name is included on our invitation.**

THE SILVER BALL
17th Annual Silver Ball- April 10, 2010

Name or Firm: _____

_____ Yes, I will attend the Silver Ball Dinner

_____ No, I will not be able to attend

**Enclosed is a check made out to the Nevada Law Foundation
for the following:**

_____ Dinner Reservation(s) @ \$ 250.00 per person

_____ A Table for 10 @ \$ 2,500.00 each

Sponsorship Levels:

_____ Platinum sponsor \$ 3,000.00

(includes reserved table for ten and full page ad)

_____ Gold sponsor \$ 2,750.00

(includes reserved table for ten and 1/2 page ad)

_____ Silver sponsor \$ 2,600.00

(includes reserved table for ten and business card ad)

I wish to sponsor an ad in *The Silver Ball Program*:

_____ Full page advertisement \$ 1,000.00

(4.25 inches wide by 7.50 inches tall)

_____ 1/2 page advertisement \$ 500.00

(4.25 inches wide by 3.75 inches tall)

_____ Business card ad \$ 100.00

(3.5 inches by 2 inches/horizontal or vertical)

_____ Appreciation Donation \$ _____

Deadline for invitation sponsorship is February 2, 2010

Deadline for program advertisement is March 5, 2010

**Suzan Baucum, Esq. – Executive Director
500 South Seventh Street, Las Vegas, NV 89101
(702) 384-1204 • Fax (702) 384-4149**

A Farewell to the Foundation

by Suzan Baucum, Esq.

I have had the great fortune to serve as the Executive Director of the Nevada Law Foundation for 18 years. In that time, I have seen the Foundation grow into something very special. I took over in 1991, and my first year was quite a challenge. IOLTA programs throughout the country were fledgling, and so much of what I learned came on the fly. But I learned quickly that the people of Nevada, especially those in our legal community wanted to help. I reached out to old friends for aid, and made new friends who wanted to make a difference. And we did make a difference. That first year, our little group granted more than \$200,000 to help the poor, the downtrodden, and the disenfranchised in our community. It is an accomplishment I will always cherish.

In my tenure as Director, I have worked hard to see to it that the Nevada Law Foundation succeeds. Just last year, we were able to give more than \$1 million to our worthy and dedicated grantees. Next year, that number will exceed \$1.6 million. While I am proud of these numbers, the Foundation now stands at a crossroad, facing perhaps the most difficult demands since its inception. The legal providers to whom we have granted funds over the last 23 years are striving to meet demands for their services. That trend is likely to continue into the foreseeable future. As a

Foundation we are, of course, interested in doing whatever we can to help meet those ever increasing demands for service. The bottom line is that we need to maximize IOLTA dollars for distribution.

Recently, the Nevada Law Foundation has engaged in efforts to streamline our services and reduce administrative costs in an attempt to distribute additional IOLTA dollars. As part of that effort, we have also been talking to third parties about outsourcing the administration of the IOLTA program. After much deliberation and consideration, I have come to the heartfelt but difficult decision that it will be in the best interest of the Foundation for me to submit my resignation as the Foundation's Executive Director. If the calculations that third party entities have determined are accurate, my departure will result in a substantial reduction in the Foundation's administrative costs and help to maximize IOLTA dollars for our service providers.

The Nevada Law Foundation has been my home for nearly 20 years. I have made many friends, and I am very proud of my accomplishments as Director. I would like to thank everyone who has served the Nevada Law Foundation's Board of Trustees. I greatly appreciate their steadfast efforts for our cause. I would like to thank all of those people



*Suzan Baucum, Esq.
Executive Director*

who have volunteered countless hours for the Foundation. And, most of all, I would like to thank my wonderful staff and those who have worked for me in the past, including Katie Dumond, Ryan Creel, Denyce Tuller, Melissa Okuda, Cortney Turner, Graciela Federico-Adam, Stephanie Markham and Leslie and Marianne Denton. Each of them is special to me in their own way, and none of the good works of the Foundation would have been possible without them. I wish the Nevada Law Foundation and our supporters luck in the future, and I wholeheartedly thank all of you for your dedication to the legal community and to our state.

And while I shall be leaving my beloved Foundation behind at the end of the year it certainly won't be forgotten. I look forward to many new endeavors in the New Year including my bid for Las Vegas Justice Court Department 13.

IOLTA FORM

INSTRUCTIONS: (1) COMPLETE THIS FORM, (2) TAKE THIS FORM TO A FINANCIAL INSTITUTION ELIGIBLE TO OFFER IOLTA ACCOUNTS, (3) SEND A COPY OF THE COMPLETED FORM TO THE NEVADA LAW FOUNDATION WITH A LIST OF ALL LAWYERS IN LAW FIRM.

Please note that in order for the Nevada Law Foundation to receive the interest off you client's trust account, it is crucial that you inform the bank that the account is to be set up as an IOLTA account.

To: The Nevada Law Foundation
500 S. Seventh Street
Las Vegas, NV 89101

Phone: 702-384-1204
Fax: 702-384-4149
Email: nvlawfoundation@aol.com

The undersigned hereby enrolls in the Nevada Law Foundation's Interest On Lawyers' Trust Account (IOLTA) Program established by the Supreme Court of Nevada. Under this program, please open (if new), or change the status of my/our law firm's existing trust account to an interest-bearing account of a type authorized by Supreme Court Rules 216-221.

FIRM NAME: _____

ATTORNEY NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: _____

FINANCIAL INSTITUTION NAME: _____

ACCOUNT NUMBER: _____

FINANCIAL INSTITUTION INFORMATION

We are required to participate in the IOLTA Program established by the Supreme Court of Nevada, under which a law firm of individual lawyer must deposit client funds in an interest-bearing checking account with the interest payable to the Nevada Law Foundation, a qualified charitable organization.

We presently have a non interest-bearing client trust account, Account No. _____, which we request that you convert to an interest-bearing IOLTA checking account bearing the same number, so we can continue to use our existing checks. No change is made in the authorized signatures on file with your institution.

We presently do not have a checking account for our client trust funds and must establish an IOLTA checking account for those funds.

Please advise us what you need, in addition to agreeing to the following conditions governing our IOLTA account:

1. Funds deposited in this negotiable order of withdrawal account will be kept separate from the law firm or individual lawyers' general account.
2. Interest earned (net of customary service charges of fees, if any) will be remitted at least quarterly to the Nevada Law Foundation.
3. Information Returns (1099's) if required will show the Nevada Law Foundation, Tax I.D. No. 88-0191854 as recipient of interest.
4. With each remittance of interest to the Nevada Law Foundation, a statement or other document will be forwarded showing the name of the law firm and individual lawyer's trust account on which interest was earned.
5. The law firm or individual lawyer in whose name this account is carried will receive a regular monthly statement customary to the account.

AUTHORIZED SIGNATORIES

DATE

NLF *Perspective*

Official Publication of the
Nevada Law Foundation
500 South Seventh Street
Las Vegas, Nevada 89101

NON PROFIT ORG.
U.S. POSTAGE
PAID
LAS VEGAS, NV
Permit #2157

NEVADA LAW FOUNDATION

Perspective

Written for all
Nevada Attorneys

Editor
Suzan Baucum, Esq.

Designed by
Annabelle's All Occasions

Staff Writers
Ryan Creel
Denyce Tuller

Please submit comments,
articles or photos to:

Suzan Baucum, Esq.
Executive Director
Nevada Law Foundation
500 South Seventh Street
Las Vegas, Nevada 89101
(702) 384-1204

Return Service Requested

Calendar of Events



January 1, 2010

Disbursement 2010 IOLTA Grant Awards

April 10, 2010

Seventeenth Annual Silver Ball

June 15, 2010

IOLTA Interim Reports Due

June 30, 2010

Final Disbursement 2010 IOLTA Grant Awards