

## Disability and Guardianship Project

9420 Reseda Blvd. #240, Northridge, CA 91324 (818) 230-5156 • www.spectruminstitute.org

January 19, 2016

Ms. Kimberly Farmer Executive Director State Bar of Nevada 3100 W. Charleston Blvd. #100 Las Vegas, NV 89102

Re: An Invitation to Participate in the Access to Advocacy Outreach Project

Dear Ms. Farmer:

Today we sent a letter to the Supreme Court of Nevada asking the court to ensure that guardianship respondents with developmental disabilities receive access to justice. A copy of the letter and related materials are enclosed for your review.

We are asking the court to exercise its responsibility under Title II of the ADA and Section 504 of the Rehabilitation Act to provide these involuntary litigants a court-appointed attorney and to adopt training and performance standards to ensure that they receive effective assistance of counsel.

Nevada does appoint an attorney to represent guardianship respondents. But appointment of counsel is not enough, in an of itself, to satisfy the court's duty to ensure access to justice for litigants who have cognitive and communication disabilities. As a matter of due process, and to provide *meaningful* access to justice under federal law, counsel must provide effective assistance. This cannot be left to chance. There must be enforceable training and performance standards, and monitoring mechanisms, in place.

We invite you to study the White Paper we have produced on this subject so that you and your colleagues can become more familiar with the issues. We also invite you to support our request to the court and, to the extent that you may have time and resources, participate in our Access to Advocacy Outreach Project in Nevada.

We look forward to hearing from you so that we can discuss this matter further.

Very truly yours,

Thomas F. Coleman

Legal Director, Spectrum Institute tomcoleman@spectruminstitute.org

p.s. We are also enclosing a letter we sent to the Commission to Study the Administration of Guardianships in Nevada Courts.