

The Nevada Bar Foundation (NBF) was incorporated in 1997 as the 501(c) (3) charitable arm of the State Bar of Nevada. The NBF was organized to support charitable giving related to access to justice and legal education programs.

Since its inception, the NBF has focused primarily on support of Law Related Education (LRE) programs such as We the People, Project Citizen and the Mock Trial program.

In 2014, the NBF assumed management of the Interest on Lawyer Trust Accounts (IOLTA) program, including the making of annual grants to organizations that promote access to justice through direct legal services to the poor, to victims of domestic violence and to children protected by or in need of protection of the juvenile court.

The NBF is governed by a Board of Trustees that oversees both the IOLTA management and LRE development. Members are appointed to the Nevada Bar Foundation Board of Trustees pursuant to Supreme Court Rule 216. Additionally, pursuant to NBF Bylaws, members may also be appointed to serve as non-voting advisory committee members to NBF standing committees and taskforces (hereinafter, "Covered Persons"). This policy applies to all Covered Persons and staff acting on behalf of the NBF.

#### Policy

This Policy is intended to supplement, but not replace, any applicable state or federal laws or regulations applicable to the NBF.

*Powers and Duties:* A Covered Person is required to exercise powers and discharge duties in the interest of the Nevada Bar Foundation and not in the Covered Person's own interest or in the interest of another entity or Related Person.

*Diligence:* A Covered Person is expected to exercise reasonable diligence in identifying and disclosing any conflict of interest, if the Covered Person, or to the actual knowledge of the Covered Person, a Related Person or entity is either (a) a party to, or (b) has a beneficial interest in, or (c) is so closely linked to a transaction, gift or favor which is of such significance to the Covered Person, as to create a reasonable expectation that such circumstances would exert an influence on the Covered Person's judgment if called upon to vote upon, approve or enter into such a transaction.

*Related Person:* A "Related Person" is defined as:

- a. A spouse or domestic partner and any and all individuals related to a Covered Person or their spouse or domestic partner by blood or marriage.
- b. Any entity of which the Covered Person is a fiduciary, director, general partner, agent or employee, or any entity under the control of such an entity.

- c. Any individual who is a general partner, principal, employer, employee or client of a Covered Person.

*Disclosure:* A Covered Person shall disclose any conflicting interest to the President of the Nevada Bar Foundation.

*Remedy:* After disclosure of a conflict (or learning of the existence of an undisclosed conflict), the NBF President and Board of Trustees officers shall determine the appropriate remedy for the conflict and shall communicate this resolution to the Covered Person.

*Pro Bono Activities:* Pro bono representation on behalf of a legal service provider is not considered to be an express conflict of interest; however, any pro bono activities and related organizations should be disclosed on the Board of Trustees Application. Please note that under SCR 216(2) members of a governing body or employees of grantee organizations may not serve on the NBF Board of Trustees.

*Adverse Representation:* The representation, by a Covered Person, of any person or entity with administrative interests that are adverse to the Nevada Bar Foundation is deemed a conflict for purposes of this policy.