

Calendar No. 909

110TH CONGRESS
2D SESSION**S. 1515**

To establish a domestic violence volunteer attorney network to represent domestic violence victims.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2007

Mr. BIDEN (for himself, Mr. SPECTER, Mr. BAYH, Mr. STEVENS, Mr. BROWN, Mr. JOHNSON, Ms. MURKOWSKI, Mr. CASEY, Mr. WHITEHOUSE, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

JULY 29 (legislative day, JULY 28), 2008

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish a domestic violence volunteer attorney network to represent domestic violence victims.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Domestic Vio-
5 lence Volunteer Attorney Network Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act, the terms “dating partner”, “dating vio-
 3 lence”, “domestic violence”, “legal assistance”, “linguis-
 4 tically and culturally specific services”, “stalking”, and
 5 “State domestic violence coalitions” shall have the same
 6 meaning given such terms in section 3 of the Violence
 7 Against Women and Department of Justice Reauthoriza-
 8 tion Act of 2005 (Public Law 109–162).

9 **SEC. 3. NATIONAL DOMESTIC VIOLENCE VOLUNTEER AT-**
 10 **TORNEY NETWORK.**

11 Section 1201 of the Violence Against Women Act of
 12 2000 (42 U.S.C. 3796gg–6) is amended by adding at the
 13 end the following:

14 “(g) NATIONAL DOMESTIC VIOLENCE VOLUNTEER
 15 ATTORNEY NETWORK.—

16 “(1) IN GENERAL.—

17 “(A) GRANTS.—The Attorney General may
 18 award grants to the American Bar Association
 19 Commission on Domestic Violence to work in
 20 collaboration with the American Bar Associa-
 21 tion Committee on Pro Bono and Public Service
 22 and other organizations to create, recruit law-
 23 yers for, and provide training, mentoring, and
 24 technical assistance for a National Domestic Vi-
 25 olence Volunteer Attorney Network.

1 “(B) USE OF FUNDS.—Funds allocated to
2 the American Bar Association’s Commission on
3 Domestic Violence under this subsection shall
4 be used to—

5 “(i) create and maintain a network to
6 field and manage inquiries from volunteer
7 lawyers seeking to represent and assist vic-
8 tims of domestic violence;

9 “(ii) solicit lawyers to serve as volun-
10 teer lawyers in the network;

11 “(iii) retain dedicated staff to support
12 volunteer attorneys by—

13 “(I) providing field technical as-
14 sistance inquiries;

15 “(II) providing on-going men-
16 toring and support;

17 “(III) collaborating with national
18 domestic violence legal technical as-
19 sistance providers and statewide legal
20 coordinators and local legal services
21 programs; and

22 “(IV) developing legal education
23 and other training materials; and

24 “(iv) maintain a point of contact with
25 the statewide legal coordinator in each

1 State regarding coordination of training,
2 mentoring, and supporting volunteer attor-
3 neys representing victims of domestic vio-
4 lence.

5 “(2) AUTHORIZATION.—There are authorized to
6 be appropriated to carry out this subsection
7 \$2,000,000 for each of the fiscal years 2008 and
8 2009 and \$3,000,000 for each of the fiscal years
9 2010 through 2013.

10 “(3) ELIGIBILITY FOR OTHER GRANTS.—A re-
11 ceipt of an award under this subsection by the Com-
12 mission on Domestic Violence of the American Bar
13 Association shall not preclude the Commission from
14 receiving additional grants under the Office on Vio-
15 lence Against Women’s Technical Assistance Pro-
16 gram to carry out the purposes of that program.

17 “(4) OTHER CONDITIONS.—

18 “(A) PROHIBITION ON TORT LITIGA-
19 TION.—Funds appropriated for the grant pro-
20 gram under this subsection may not be used to
21 fund civil representation in a lawsuit based on
22 a tort claim. This subparagraph shall not be
23 construed as a prohibition on providing assist-
24 ance to obtain restitution.

1 “(B) PROHIBITION ON LOBBYING.—Any
 2 funds appropriated under this subsection shall
 3 be subject to the prohibitions in section 1913 of
 4 title 18, United States Code, relating to lob-
 5 bying with appropriated moneys.”.

6 **SEC. 4. DOMESTIC VIOLENCE VOLUNTEER ATTORNEY RE-**
 7 **FERRAL PROGRAM.**

8 (a) PILOT PROGRAM.—

9 (1) IN GENERAL.—For fiscal years 2008 and
 10 2009, the Office on Violence Against Women of the
 11 Department of Justice, in consultation with the Do-
 12 mestic Violence Legal Advisory Task Force, shall
 13 designate 5 States in which to implement the pilot
 14 program of the National Domestic Violence Volun-
 15 teer Attorney Referral Project and distribute funds
 16 under this subsection.

17 (2) CRITERIA.—Criteria for selecting the States
 18 for the pilot program under this subsection shall in-
 19 clude—

20 (A) equitable distribution between urban
 21 and rural areas; equitable geographical distribu-
 22 tion;

23 (B) States that have a demonstrated ca-
 24 pacity to coordinate among local and statewide
 25 domestic violence organizations;

1 (C) organizations serving immigrant
2 women; and

3 (D) volunteer legal services offices
4 throughout the State.

5 (3) PURPOSE.—The purpose of the pilot pro-
6 gram under this subsection is to—

7 (A) provide for a coordinated system of en-
8 suring that domestic violence victims through-
9 out the pilot States have access to safe, cul-
10 turally, and linguistically appropriate represen-
11 tation in all legal matters arising as a con-
12 sequence of the abuse or violence; and

13 (B) support statewide legal coordinators in
14 each State to manage referrals for victims to
15 attorneys and to train attorneys on related do-
16 mestic violence issues.

17 (4) ROLE OF STATEWIDE LEGAL COORDI-
18 NATOR.—A statewide legal coordinator under this
19 subsection shall—

20 (A) be employed by the statewide domestic
21 violence coalition, unless the statewide domestic
22 violence coalition determines that the needs of
23 victims throughout the State would be best
24 served if the coordinator was employed by an-
25 other statewide organization;

1 (B) develop and maintain an updated data-
2 base of attorneys throughout the State, includ-
3 ing—

4 (i) legal services programs;

5 (ii) volunteer programs;

6 (iii) organizations serving immigrant
7 women;

8 (iv) law school clinical programs;

9 (v) bar associations;

10 (vi) attorneys in the National Domes-
11 tie Violence Volunteer Attorney Network;
12 and

13 (vii) local domestic violence programs;

14 (C) consult and coordinate with existing
15 statewide and local programs including volun-
16 teer representation projects or statewide legal
17 services programs;

18 (D) provide referrals to victims who are
19 seeking legal representation in matters arising
20 as a consequence of the abuse or violence;

21 (E) participate in biannual meetings with
22 other Pilot Program grantees, American Bar
23 Association Commission on Domestic Violence,
24 American Bar Association Committee on Pro

Bono and Public Service, and national domestic violence legal technical assistance providers;

(F) receive referrals of victims seeking legal representation from the National Domestic Violence Hotline and other sources;

(G) receive and disseminate information regarding volunteer attorneys and training and mentoring opportunities; and

(H) work with the Office on Violence Against Women, the American Bar Association Commission on Domestic Violence, and the National Domestic Violence Legal Advisory Task Force to assess the effectiveness of the Pilot Program.

(5) ELIGIBILITY FOR GRANTS.—The Attorney General shall award grants to statewide legal coordinators under this subsection.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$750,000 for each of fiscal years 2008 and 2009 to fund the statewide coordinator positions and other costs associated with the position in the 5 pilot program States under this subsection.

(7) EVALUATION AND REPORTING.—An entity receiving a grant under this subsection shall submit

1 to the Department of Justice a report detailing the
 2 activities taken with the grant funds, including such
 3 additional information as the agency shall require.

4 ~~(b) NATIONAL PROGRAM.—~~

5 ~~(1) PURPOSE.—~~The purpose of the national
 6 program under this subsection is to—

7 ~~(A) provide for a coordinated system of en-~~
 8 ~~suring that domestic violence victims through-~~
 9 ~~out the country have access to safe, culturally~~
 10 ~~and linguistically appropriate representation in~~
 11 ~~legal matters arising as a consequence of the~~
 12 ~~abuse or violence; and~~

13 ~~(B) support statewide legal coordinators in~~
 14 ~~each State to coordinate referrals to domestic~~
 15 ~~violence attorneys and to train attorneys on re-~~
 16 ~~lated domestic violence issues, including immi-~~
 17 ~~gration matters.~~

18 ~~(2) GRANTS.—~~The Attorney General shall
 19 award grants to States for the purposes set forth in
 20 subsection (a) and to support designated statewide
 21 legal coordinators under this subsection.

22 ~~(3) ROLE OF THE STATEWIDE LEGAL COORDI-~~
 23 ~~NATOR.—~~The statewide legal coordinator under this
 24 subsection shall be subject to the requirements and
 25 responsibilities provided in subsection (a)(4).

(4) GUIDELINES.—The Office on Violence Against Women, in consultation with the Domestic Violence Legal Advisory Task Force and the results detailed in the Study of Legal Representation of Domestic Violence Victims, shall develop guidelines for the implementation of the national program under this section, based on the effectiveness of the Pilot Program in improving victims' access to culturally and linguistically appropriate legal representation in the pilot States.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$8,000,000 for each of fiscal years 2010 through 2013 to fund the statewide coordinator position in every State and other costs associated with the position.

(6) EVALUATION AND REPORTING.—An entity receiving a grant under this subsection shall submit to the Department of Justice a report detailing the activities taken with the grant funds, including such additional information as the agency shall require.

SEC. 5. TECHNICAL ASSISTANCE FOR THE NATIONAL DOMESTIC VIOLENCE VOLUNTEER ATTORNEY NETWORK.

(a) PURPOSES.—The purpose of this section is to allow—

1 ~~(1) national domestic violence legal technical as-~~
 2 ~~sistance providers to expand their services to provide~~
 3 ~~training and ongoing technical assistance to volun-~~
 4 ~~teer attorneys in the National Domestic Violence~~
 5 ~~Volunteer Attorney Network; and~~

6 ~~(2) providers of domestic violence law to receive~~
 7 ~~additional funding to train and assist attorneys in~~
 8 ~~the areas of—~~

9 ~~(A) custody and child support;~~

10 ~~(B) employment;~~

11 ~~(C) housing;~~

12 ~~(D) immigrant victims' legal needs (includ-~~
 13 ~~ing immigration, protection order, family and~~
 14 ~~public benefits issues); and~~

15 ~~(E) interstate custody and relocation law.~~

16 (b) GRANTS.—The Attorney General shall award
 17 grants to national domestic violence legal technical assist-
 18 ance providers to expand their services to provide training
 19 and ongoing technical assistance to volunteer attorneys in
 20 the National Domestic Violence Volunteer Attorney Net-
 21 work, statewide legal coordinators, the National Domestic
 22 Violence Hotline and Internet-based legal referral organi-
 23 zations described in section 1201(i)(1) of the Violence
 24 Against Women Act of 2000, as added by section 6.

1 (c) ~~ELIGIBILITY FOR OTHER GRANTS.~~—A receipt of
2 an award under this section shall not preclude the national
3 domestic violence legal technical assistance providers from
4 receiving additional grants under the Office on Violence
5 Against Women’s Technical Assistance Program to carry
6 out the purposes of that program.

7 (d) ~~ELIGIBLE ENTITIES.~~—In this section, an eligible
8 entity is a national domestic violence legal technical assist-
9 ance provider that—

10 (1) has expertise on legal issues that arise in
11 cases of victims of domestic violence, dating violence
12 and stalking, including family, immigration, housing,
13 protection order, public benefits, custody, child sup-
14 port, interstate custody and relocation, employment
15 and other civil legal needs of victims; and

16 (2) has an established record of providing tech-
17 nical assistance and support to lawyers representing
18 victims of domestic violence.

19 (e) ~~AUTHORIZATION OF APPROPRIATIONS.~~—There
20 are authorized to be appropriated to carry out this section
21 \$800,000 for national domestic violence legal technical as-
22 sistance providers for each fiscal year from 2008 through
23 2013.

1 **SEC. 6. NATIONAL DOMESTIC VIOLENCE HOTLINE LEGAL**
 2 **REFERRALS.**

3 Section ~~1201~~ of the Violence Against Women Act of
 4 2000 (42 U.S.C. ~~3796gg-6~~) is amended by adding at the
 5 end the following:

6 “(h) **LEGAL REFERRALS BY THE NATIONAL DOMES-**
 7 **TIC VIOLENCE HOTLINE.**—

8 “(1) **IN GENERAL.**—The Attorney General may
 9 award grants to the National Domestic Violence
 10 Hotline (as authorized by section ~~316~~ of the Family
 11 Violence Prevention and Services Act (42 U.S.C.
 12 ~~10416~~)) to provide information about statewide legal
 13 coordinators and legal services.

14 “(2) **USE OF FUNDS.**—Funds allocated to the
 15 National Domestic Violence Hotline under this sub-
 16 section shall be used to—

17 “(A) update the Hotline’s technology and
 18 systems to reflect legal services and referrals to
 19 statewide legal coordinators;

20 “(B) collaborate with the American Bar
 21 Association Commission on Domestic Violence
 22 and the national domestic violence legal tech-
 23 nical assistance providers to train and provide
 24 appropriate assistance to the Hotline’s advo-
 25 cates on legal services; and

1 ~~“(C) maintain a network of legal services~~
 2 ~~and statewide legal coordinators and collaborate~~
 3 ~~with the American Bar Association Commission~~
 4 ~~on Domestic Violence.~~

5 ~~“(3) AUTHORIZATION.—There are to be appro-~~
 6 ~~riated to carry out this subsection \$500,000 for~~
 7 ~~each of fiscal years 2008 through 2013.~~

8 ~~“(i) LEGAL REFERRALS BY INTERNET-BASED SERV-~~
 9 ~~ICES FOR DOMESTIC VIOLENCE VICTIMS.—~~

10 ~~“(1) IN GENERAL.—The Attorney General may~~
 11 ~~award grants to Internet-based non-profit organiza-~~
 12 ~~tions with a demonstrated expertise on domestic vio-~~
 13 ~~lence to provide State-specific information about~~
 14 ~~statewide legal coordinators and legal services~~
 15 ~~through the Internet.~~

16 ~~“(2) USE OF FUNDS.—Funds allocated to~~
 17 ~~Internet-based organizations under this subsection~~
 18 ~~shall be used to—~~

19 ~~“(A) collaborate with the American Bar~~
 20 ~~Association Commission on Domestic Violence~~
 21 ~~and the national domestic violence legal tech-~~
 22 ~~nical assistance providers to train and provide~~
 23 ~~appropriate assistance to personnel on referring~~
 24 ~~legal services; and~~

1 ~~“(B) maintain a network of legal services~~
 2 ~~and statewide legal coordinators, and collabo-~~
 3 ~~rate with the American Bar Association Com-~~
 4 ~~mission on Domestic Violence and the National~~
 5 ~~Domestic Violence Hotline.~~

6 ~~“(3) AUTHORIZATION.—There are to be appro-~~
 7 ~~priated to carry out this subsection \$250,000 for~~
 8 ~~each fiscal years of 2008 through 2013.”.~~

9 **SEC. 7. STUDY OF LEGAL REPRESENTATION OF DOMESTIC**
 10 **VIOLENCE VICTIMS.**

11 ~~(a) IN GENERAL.—The General Accountability Office~~
 12 ~~shall study the scope and quality of legal representation~~
 13 ~~and advocacy for victims of domestic violence, dating vio-~~
 14 ~~lence, and stalking, including the provision of culturally~~
 15 ~~and linguistically appropriate services.~~

16 ~~(b) SCOPE OF STUDY.—The General Accountability~~
 17 ~~Office shall specifically assess the representation and ad-~~
 18 ~~vocacy of—~~

19 ~~(1) organizations providing direct legal services~~
 20 ~~and other support to victims of domestic violence,~~
 21 ~~dating violence, and stalking, including Legal Serv-~~
 22 ~~ices Corporation grantees, non-Legal Services Cor-~~
 23 ~~poration legal services organizations, domestic vio-~~
 24 ~~lence programs receiving Legal Assistance for Vic-~~
 25 ~~tims grants or other Violence Against Women Act~~

1 funds to provide legal assistance, volunteer programs
 2 (including those operated by bar associations and
 3 law firms), law schools which operate domestic vio-
 4 lence, and family law clinical programs; and

5 (2) organizations providing support to direct
 6 legal services delivery programs and to their volun-
 7 teer attorneys, including State coalitions on domestic
 8 violence, National Legal Aid and Defender Associa-
 9 tion, the American Bar Association Commission on
 10 Domestic Violence, the American Bar Association
 11 Committee on Pro Bono and Public Service, State
 12 bar associations, judicial organizations, and national
 13 advocacy organizations (including the Legal Re-
 14 source Center on Violence Against Women, and the
 15 National Center on Full Faith and Credit).

16 (c) ASSESSMENT.—The assessment shall, with re-
 17 spect to each entity under subsection (b), include—

18 (1) what kind of legal assistance is provided to
 19 victims of domestic violence, such as counseling or
 20 representation in court proceedings;

21 (2) number of lawyers on staff;

22 (3) how legal services are being administered in
 23 a culturally and linguistically appropriate manner,
 24 and the number of multi-lingual advocates;

1 (4) what type of cases are related to the abuse;
2 such as protective orders, divorce, housing, and child
3 custody matters, and immigration filings;

4 (5) what referral mechanisms are used to
5 match a lawyer with a domestic violence victim;

6 (6) what, if any, collaborative partnerships are
7 in place between the legal services program and do-
8 mestic violence agencies;

9 (7) what existing technical assistance or train-
10 ing on domestic violence and legal skills is provided
11 to attorneys providing legal services to victims of do-
12 mestic violence;

13 (8) what training or technical assistance for at-
14 torneys would improve the provision of legal services
15 to victims of domestic violence;

16 (9) how does the organization manage means-
17 testing or income requirements for clients;

18 (10) what, if any legal support is provided by
19 non-lawyer victim advocates; and

20 (11) whether they provide support to or sponsor
21 a pro bono legal program providing legal representa-
22 tion to victims of domestic violence.

23 (d) REPORT.—Not later than 1 year after the date
24 of enactment of this Act, the General Accountability Office

1 shall submit to Congress a report on the findings and rec-
2 ommendations of the study required by this section.

3 **SEC. 8. ESTABLISH A DOMESTIC VIOLENCE LEGAL ADVI-**
4 **SORY TASK FORCE.**

5 (a) IN GENERAL.—The Attorney General shall estab-
6 lish the Domestic Violence Legal Advisory Task Force to
7 provide guidance for the implementation of the Study of
8 Legal Representation of Domestic Violence Victims, the
9 Pilot Program for the National Domestic Violence Volun-
10 teer Attorney Referral Project, and the National Program
11 for the National Domestic Violence Volunteer Attorney
12 Referral Project.

13 (b) COMPOSITION.—The Task Force established
14 under this section shall be composed of experts in pro-
15 viding legal assistance to domestic violence victims and de-
16 veloping effective volunteer programs providing legal as-
17 sistance to domestic violence victims, including judges with
18 expertise on domestic violence, individuals with experience
19 representing low-income domestic violence victims, and
20 private bar members involved with volunteer legal services.

21 (c) RESPONSIBILITIES.—The Task Force shall pro-
22 vide—

23 (1) ongoing advice to the American Bar Asso-
24 ciation Commission on Domestic Violence, the Na-
25 tional Domestic Violence Hotline, and the Statewide

1 Coordinators regarding implementation of the Pilot
 2 Program and the National Program of the Domestic
 3 Violence Volunteer Attorney Referral Project;

4 (2) recommendations to the Office on Violence
 5 Against Women regarding the selection of the 5 sites
 6 for the Pilot Program; and

7 (3) attend regular meetings covered by Amer-
 8 ican Bar Association Commission on Domestic Vio-
 9 lence.

10 (d) REPORT.—The Task Force shall report to Con-
 11 gress every 2 years on its work under this section.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—There
 13 are authorized to be appropriated to carry out this section
 14 \$100,000 for each of fiscal years 2008 through 2013.

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “National Domestic Vio-*
 17 *lence Volunteer Attorney Network Act”.*

18 **SEC. 2. NATIONAL DOMESTIC VIOLENCE VOLUNTEER AT-**
 19 **TORNEY NETWORK.**

20 *The Violence Against Women Act of 1994 (Public Law*
 21 *103–322) is amended by adding at the end the following:*

1 **“Subtitle Q—National Domestic Vi-**
 2 **olence Volunteer Attorney Net-**
 3 **work**

4 **“SEC. 41601. NATIONAL DOMESTIC VIOLENCE VOLUNTEER**
 5 **ATTORNEY NETWORK.**

6 “(a) *IN GENERAL.*—

7 “(1) *GRANTS.*—*The Attorney General may*
 8 *award grants to the American Bar Association Com-*
 9 *mission on Domestic Violence to work in collaboration*
 10 *with the American Bar Association Committee on Pro*
 11 *Bono and Public Service and other organizations to*
 12 *create, recruit lawyers for, and provide training,*
 13 *mentoring, and technical assistance for a National*
 14 *Domestic Violence Volunteer Attorney Network.*

15 “(2) *USE OF FUNDS.*—*Funds allocated to the*
 16 *American Bar Association’s Commission on Domestic*
 17 *Violence under this section shall be used to—*

18 “(A) *create and maintain a network to field*
 19 *and manage inquiries from volunteer lawyers*
 20 *seeking to represent and assist victims of domes-*
 21 *tic violence;*

22 “(B) *solicit lawyers to serve as volunteer*
 23 *lawyers in the network;*

24 “(C) *retain dedicated staff to support volun-*
 25 *teer attorneys by—*

1 “(i) *providing field technical assistance*
 2 *inquiries;*

3 “(ii) *providing on-going mentoring*
 4 *and support;*

5 “(iii) *collaborating with national do-*
 6 *mestic violence legal technical assistance*
 7 *providers and statewide legal coordinators*
 8 *and local legal services programs; and*

9 “(iv) *developing legal education and*
 10 *other training materials; and*

11 “(D) *maintain a point of contact with the*
 12 *statewide legal coordinator in each State regard-*
 13 *ing coordination of training, mentoring, and*
 14 *supporting volunteer attorneys representing vic-*
 15 *tims of domestic violence.*

16 “(b) *AUTHORIZATION.—There are authorized to be ap-*
 17 *propriated to carry out this section \$2,000,000 for each of*
 18 *the fiscal years 2008 and 2009 and \$3,000,000 for each of*
 19 *the fiscal years 2010 through 2013.*

20 “(c) *ELIGIBILITY FOR OTHER GRANTS.—A receipt of*
 21 *an award under this section by the Commission on Domes-*
 22 *tic Violence of the American Bar Association shall not pre-*
 23 *clude the Commission from receiving additional grants*
 24 *under the Office on Violence Against Women’s Technical As-*
 25 *sistance Program to carry out the purposes of that program.*

1 “(d) *OTHER CONDITIONS.*—

2 “(1) *REQUIRED PARTNERSHIPS.*—*In developing*
 3 *and implementing the national volunteer attorney*
 4 *network described in this section, the American Bar*
 5 *Association’s Commission on Domestic Violence shall*
 6 *partner, when possible, with 1 or more national do-*
 7 *mestic violence organizations with demonstrated ex-*
 8 *pertise in providing training and technical assistance*
 9 *to a national audience. Any such partner must be*
 10 *fairly compensated for its participation in developing*
 11 *and implementing the network.*

12 “(2) *STANDARD GRANT CONDITION.*—*Any award*
 13 *made to the American Bar Association’s Commission*
 14 *on Domestic Violence under this section shall be sub-*
 15 *ject to the Office on Violence Against Women’s stand-*
 16 *ard grant award conditions and reporting require-*
 17 *ments.*

18 **“SEC. 41602. DOMESTIC VIOLENCE VOLUNTEER ATTORNEY**
 19 ***REFERRAL PROGRAM.***

20 “(a) *PILOT PROGRAM.*—

21 “(1) *IN GENERAL.*—*For fiscal years 2008 and*
 22 *2009, the Office on Violence Against Women of the*
 23 *Department of Justice, in consultation with the Do-*
 24 *mestic Violence Legal Advisory Task Force, shall des-*
 25 *ignate 5 States in which to implement the pilot pro-*

1 *gram of the National Domestic Violence Volunteer At-*
 2 *torney Referral Project and distribute funds under*
 3 *this subsection.*

4 “(2) *CRITERIA.—Criteria for selecting the States*
 5 *for the pilot program under this subsection shall in-*
 6 *clude—*

7 “(A) *equitable distribution between urban*
 8 *and rural areas, equitable geographical distribu-*
 9 *tion;*

10 “(B) *States that have a demonstrated ca-*
 11 *capacity to coordinate among local and statewide*
 12 *domestic violence organizations;*

13 “(C) *organizations serving immigrant*
 14 *women; and*

15 “(D) *volunteer legal services offices through-*
 16 *out the State.*

17 “(3) *PURPOSE.—The purpose of the pilot pro-*
 18 *gram under this subsection is to—*

19 “(A) *provide for a coordinated system of en-*
 20 *sureing that domestic violence victims throughout*
 21 *the pilot States have access to safe, culturally,*
 22 *and linguistically appropriate representation in*
 23 *all legal matters arising as a consequence of the*
 24 *abuse or violence; and*

1 “(B) support statewide legal coordinators in
 2 each State to manage referrals for victims to at-
 3 torneys and to train attorneys on related domes-
 4 tic violence issues.

5 “(4) *ROLE OF STATEWIDE LEGAL COORDI-*
 6 *NATOR.*—A statewide legal coordinator under this
 7 subsection shall—

8 “(A) be employed by the statewide domestic
 9 violence coalition, unless the statewide domestic
 10 violence coalition determines that the needs of
 11 victims throughout the State would be best served
 12 if the coordinator was employed by another
 13 statewide organization;

14 “(B) be an attorney in good standing li-
 15 censed to practice law in the applicable State;

16 “(C) have or obtain training to gain exper-
 17 tise in providing legal assistance to victims of
 18 domestic violence;

19 “(D) develop and maintain an updated
 20 database of attorneys throughout the State, in-
 21 cluding—

22 “(i) legal services programs;

23 “(ii) volunteer programs;

24 “(iii) organizations serving immigrant
 25 women;

1 “(iv) law school clinical programs;

2 “(v) bar associations;

3 “(vi) attorneys in the National Domes-
4 tic Violence Volunteer Attorney Network;
5 and

6 “(vii) local domestic violence pro-
7 grams;

8 “(E) consult and coordinate with existing
9 statewide and local programs including volun-
10 teer representation projects or statewide legal
11 services programs;

12 “(F) provide referrals to victims who are
13 seeking legal representation in matters arising as
14 a consequence of the abuse or violence;

15 “(G) participate in biannual meetings with
16 other Pilot Program grantees, American Bar As-
17 sociation Commission on Domestic Violence,
18 American Bar Association Committee on Pro
19 Bono and Public Service, and national domestic
20 violence legal technical assistance providers;

21 “(H) receive referrals of victims seeking
22 legal representation from the National Domestic
23 Violence Hotline and other sources;

1 “(I) receive and disseminate information re-
 2 garding volunteer attorneys and training and
 3 mentoring opportunities; and

4 “(J) work with the Office on Violence
 5 Against Women, the American Bar Association
 6 Commission on Domestic Violence, and the Na-
 7 tional Domestic Violence Legal Advisory Task
 8 Force to assess the effectiveness of the Pilot Pro-
 9 gram.

10 “(5) *ELIGIBILITY FOR GRANTS.*—The Attorney
 11 General shall award grants to statewide legal coordi-
 12 nators under this subsection.

13 “(6) *AUTHORIZATION OF APPROPRIATIONS.*—
 14 There are authorized to be appropriated \$750,000 for
 15 each of fiscal years 2008 and 2009 to fund at least
 16 1 statewide coordinator positions and other costs asso-
 17 ciated with the position in the 5 pilot program States
 18 under this subsection.

19 “(7) *EVALUATION AND REPORTING.*—An entity
 20 receiving a grant under this subsection shall submit
 21 to the Department of Justice a report detailing the
 22 activities taken with the grant funds, including such
 23 additional information as the agency shall require.

24 “(b) *NATIONAL PROGRAM.*—

1 “(1) *PURPOSE.*—*The purpose of the national*
2 *program under this subsection is to—*

3 “(A) *provide for a coordinated system of en-*
4 *sureing that domestic violence victims throughout*
5 *the country have access to safe, culturally and*
6 *linguistically appropriate representation in legal*
7 *matters arising as a consequence of the abuse or*
8 *violence; and*

9 “(B) *support statewide legal coordinators in*
10 *each State to coordinate referrals to domestic vi-*
11 *olence attorneys and to train attorneys on re-*
12 *lated domestic violence issues, including immi-*
13 *gration matters.*

14 “(2) *GRANTS.*—*The Attorney General shall*
15 *award grants to States for the purposes set forth in*
16 *subsection (a) and to support designated statewide*
17 *legal coordinators under this subsection.*

18 “(3) *ROLE OF THE STATEWIDE LEGAL COORDI-*
19 *NATOR.*—*The statewide legal coordinator under this*
20 *subsection shall be subject to the requirements and re-*
21 *sponsibilities provided in subsection (a)(4).*

22 “(4) *GUIDELINES.*—*The Office on Violence*
23 *Against Women, in consultation with the Domestic*
24 *Violence Legal Advisory Task Force and the results*
25 *detailed in the Study of Legal Representation of Do-*

1 *mestic Violence Victims, shall develop guidelines for*
 2 *the implementation of the national program under*
 3 *this subsection, based on the effectiveness of the Pilot*
 4 *Program in improving victims' access to culturally*
 5 *and linguistically appropriate legal representation in*
 6 *the pilot States.*

7 “(5) *AUTHORIZATION OF APPROPRIATIONS.—*
 8 *There are authorized to be appropriated \$8,000,000*
 9 *for each of fiscal years 2010 through 2013 to fund the*
 10 *statewide coordinator position in every State and*
 11 *other costs associated with the position.*

12 “(6) *EVALUATION AND REPORTING.—An entity*
 13 *receiving a grant under this subsection shall submit*
 14 *to the Department of Justice a report detailing the*
 15 *activities taken with the grant funds, including such*
 16 *additional information as the agency shall require.*

17 **“SEC. 41603. TECHNICAL ASSISTANCE FOR THE NATIONAL**
 18 **DOMESTIC VIOLENCE VOLUNTEER ATTORNEY**
 19 **NETWORK.**

20 “(a) *PURPOSES.—The purpose of this section is to*
 21 *allow—*

22 “(1) *national domestic violence legal technical*
 23 *assistance providers to expand their services to pro-*
 24 *vide training and ongoing technical assistance to vol-*

1 *unteer attorneys in the National Domestic Violence*
 2 *Volunteer Attorney Network; and*

3 *“(2) providers of domestic violence law to receive*
 4 *additional funding to train and assist attorneys in*
 5 *the areas of—*

6 *“(A) custody and child support;*

7 *“(B) employment;*

8 *“(C) housing;*

9 *“(D) immigrant victims’ legal needs (in-*
 10 *cluding immigration, protection order, family*
 11 *and public benefits issues); and*

12 *“(E) interstate custody and relocation law.*

13 *“(b) GRANTS.—The Attorney General shall award*
 14 *grants to national domestic violence legal technical assist-*
 15 *ance providers to expand their services to provide training*
 16 *and ongoing technical assistance to volunteer attorneys in*
 17 *the National Domestic Violence Volunteer Attorney Net-*
 18 *work, statewide legal coordinators, the National Domestic*
 19 *Violence Hotline, and Internet-based legal referral organi-*
 20 *zations described in section 1201(i)(1).*

21 *“(c) ELIGIBILITY FOR OTHER GRANTS.—A receipt of*
 22 *an award under this section shall not preclude the national*
 23 *domestic violence legal technical assistance providers from*
 24 *receiving additional grants under the Office on Violence*

1 *Against Women’s Technical Assistance Program to carry*
 2 *out the purposes of that program.*

3 “(d) *ELIGIBLE ENTITIES.—In this section, an eligible*
 4 *entity is a national domestic violence legal technical assist-*
 5 *ance provider that—*

6 “(1) *has expertise on legal issues that arise in*
 7 *cases of victims of domestic violence, dating violence*
 8 *and stalking, including family, immigration, housing,*
 9 *protection order, public benefits, custody, child sup-*
 10 *port, interstate custody and relocation, employment*
 11 *and other civil legal needs of victims; and*

12 “(2) *has an established record of providing tech-*
 13 *nical assistance and support to lawyers representing*
 14 *victims of domestic violence.*

15 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 16 *authorized to be appropriated to carry out this section*
 17 *\$800,000 for national domestic violence legal technical as-*
 18 *sistance providers for each fiscal year from 2008 through*
 19 *2013.*

20 **“SEC. 41604. NATIONAL DOMESTIC VIOLENCE HOTLINE**
 21 **LEGAL REFERRALS.**

22 “(a) *LEGAL REFERRALS BY THE NATIONAL DOMESTIC*
 23 *VIOLENCE HOTLINE.—*

24 “(1) *IN GENERAL.—The Attorney General may*
 25 *award grants to the National Domestic Violence Hot-*

1 *line (as authorized by section 316 of the Family Vio-*
 2 *lence Prevention and Services Act (42 U.S.C. 10416))*
 3 *to provide information about statewide legal coordi-*
 4 *nators and legal services.*

5 *“(2) USE OF FUNDS.—Funds allocated to the*
 6 *National Domestic Violence Hotline under this sub-*
 7 *section shall be used to—*

8 *“(A) update the Hotline’s technology and*
 9 *systems to reflect legal services and referrals to*
 10 *statewide legal coordinators;*

11 *“(B) collaborate with the American Bar As-*
 12 *sociation Commission on Domestic Violence and*
 13 *the national domestic violence legal technical as-*
 14 *sistance providers to train and provide appro-*
 15 *priate assistance to the Hotline’s advocates on*
 16 *legal services; and*

17 *“(C) maintain a network of legal services*
 18 *and statewide legal coordinators and collaborate*
 19 *with the American Bar Association Commission*
 20 *on Domestic Violence.*

21 *“(3) AUTHORIZATION.—There are to be appro-*
 22 *priated to carry out this subsection \$500,000 for each*
 23 *of fiscal years 2008 through 2013.*

24 *“(b) LEGAL REFERRALS BY INTERNET-BASED SERV-*
 25 *ICES FOR DOMESTIC VIOLENCE VICTIMS.—*

1 “(1) *IN GENERAL.*—*The Attorney General may*
 2 *award grants to Internet-based non-profit organiza-*
 3 *tions with a demonstrated expertise on domestic vio-*
 4 *lence to provide State-specific information about*
 5 *statewide legal coordinators and legal services through*
 6 *the Internet.*

7 “(2) *USE OF FUNDS.*—*Funds allocated to Inter-*
 8 *net-based organizations under this subsection shall be*
 9 *used to—*

10 “(A) *collaborate with the American Bar As-*
 11 *sociation Commission on Domestic Violence and*
 12 *the national domestic violence legal technical as-*
 13 *sistance providers to train and provide appro-*
 14 *priate assistance to personnel on referring legal*
 15 *services; and*

16 “(B) *maintain a network of legal services*
 17 *and statewide legal coordinators, and collaborate*
 18 *with the American Bar Association Commission*
 19 *on Domestic Violence and the National Domestic*
 20 *Violence Hotline.*

21 “(3) *AUTHORIZATION.*—*There are to be appro-*
 22 *priated to carry out this subsection \$250,000 for each*
 23 *fiscal years of 2008 through 2013.*

1 **“SEC. 41605. STUDY OF LEGAL REPRESENTATION OF DO-**
 2 **MESTIC VIOLENCE VICTIMS.**

3 “(a) *IN GENERAL.*—*The National Institute of Justice*
 4 *shall study the scope and quality of legal representation and*
 5 *advocacy for victims of domestic violence, dating violence,*
 6 *and stalking, including the provision of culturally and lin-*
 7 *guistically appropriate services.*

8 “(b) *SCOPE OF STUDY.*—*The National Institute of*
 9 *Justice shall specifically assess the representation and advo-*
 10 *cacy of—*

11 “(1) *organizations providing direct legal services*
 12 *and other support to victims of domestic violence, dat-*
 13 *ing violence, and stalking, including Legal Services*
 14 *Corporation grantees, non-Legal Services Corporation*
 15 *legal services organizations, domestic violence pro-*
 16 *grams receiving Legal Assistance for Victims grants*
 17 *or other funds under this Act to provide legal assist-*
 18 *ance, volunteer programs (including those operated by*
 19 *bar associations and law firms), law schools which*
 20 *operate domestic violence, and family law clinical*
 21 *programs; and*

22 “(2) *organizations providing support to direct*
 23 *legal services delivery programs and to their volunteer*
 24 *attorneys, including State coalitions on domestic vio-*
 25 *lence, the National Legal Aid and Defender Associa-*
 26 *tion, the American Bar Association Commission on*

1 *Domestic Violence, the American Bar Association*
 2 *Committee on Pro Bono and Public Service, State bar*
 3 *associations, judicial organizations, and national ad-*
 4 *vocacy organizations (including the Legal Resource*
 5 *Center on Violence Against Women, and the National*
 6 *Center on Full Faith and Credit).*

7 “(c) *ASSESSMENT.*—*The assessment shall, with respect*
 8 *to each entity under subsection (b), include—*

9 “(1) *what kind of legal assistance is provided to*
 10 *victims of domestic violence, such as counseling or*
 11 *representation in court proceedings;*

12 “(2) *number of lawyers on staff;*

13 “(3) *how legal services are being administered in*
 14 *a culturally and linguistically appropriate manner,*
 15 *and the number of multilingual advocates;*

16 “(4) *what type of cases are related to the abuse,*
 17 *such as protective orders, divorce, housing, and child*
 18 *custody matters, and immigration filings;*

19 “(5) *what referral mechanisms are used to match*
 20 *a lawyer with a domestic violence victim;*

21 “(6) *what, if any, collaborative partnerships are*
 22 *in place between the legal services program and do-*
 23 *mestic violence agencies;*

24 “(7) *what existing technical assistance or train-*
 25 *ing on domestic violence and legal skills is provided*

1 to attorneys providing legal services to victims of do-
2 mestic violence;

3 “(8) what training or technical assistance for at-
4 torneys would improve the provision of legal services
5 to victims of domestic violence;

6 “(9) how does the organization manage means-
7 testing or income requirements for clients;

8 “(10) what, if any legal support is provided by
9 nonlawyer victim advocates; and

10 “(11) whether they provide support to or sponsor
11 a pro bono legal program providing legal representa-
12 tion to victims of domestic violence.

13 “(d) *REPORT*.—Not later than 1 year after the date
14 of enactment of this title, the National Institute of Justice
15 shall submit to Congress a report on the findings and rec-
16 ommendations of the study required by this section.

17 **“SEC. 41606. ESTABLISH A DOMESTIC VIOLENCE LEGAL AD-
18 VISORY TASK FORCE.**

19 “(a) *IN GENERAL*.—The Attorney General shall estab-
20 lish the Domestic Violence Legal Advisory Task Force to
21 provide guidance for the implementation of the Study of
22 Legal Representation of Domestic Violence Victims, the
23 Pilot Program for the National Domestic Violence Volunteer
24 Attorney Referral Project, and the National Program for

1 *the National Domestic Violence Volunteer Attorney Referral*
 2 *Project.*

3 “(b) *COMPOSITION.*—*The Task Force established under*
 4 *this section shall be composed of experts in providing legal*
 5 *assistance to domestic violence victims and developing effec-*
 6 *tive volunteer programs providing legal assistance to do-*
 7 *mestic violence victims, including judges with expertise on*
 8 *domestic violence, individuals with experience representing*
 9 *low-income domestic violence victims, and private bar*
 10 *members involved with volunteer legal services.*

11 “(c) *RESPONSIBILITIES.*—*The Task Force shall pro-*
 12 *vide—*

13 “(1) *ongoing advice to the American Bar Asso-*
 14 *ciation Commission on Domestic Violence, the Na-*
 15 *tional Domestic Violence Hotline, and the Statewide*
 16 *Coordinators regarding implementation of the Pilot*
 17 *Program and the National Program of the Domestic*
 18 *Violence Volunteer Attorney Referral Project;*

19 “(2) *recommendations to the Office on Violence*
 20 *Against Women regarding the selection of the 5 sites*
 21 *for the Pilot Program; and*

22 “(3) *attend regular meetings covered by Amer-*
 23 *ican Bar Association Commission or Domestic Vio-*
 24 *lence.*

1 “(d) *REPORT.—The Task Force shall report to Con-*
2 *gress every 2 years on its work under this section.*

3 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There are*
4 *authorized to be appropriated to carry out this section*
5 *\$100,000 for each of fiscal years 2008 through 2013.”.*

Calendar No. 909

110TH CONGRESS
2^D Session

S. 1515

A BILL

To establish a domestic violence volunteer attorney network to represent domestic violence victims.

JULY 29 (legislative day, JULY 28), 2008

Reported with an amendment