

110TH CONGRESS  
2D SESSION

# H. R. 6088

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

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IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2008

Mr. CONYERS (for himself and Mr. POE) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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”.

6 **SEC. 2. NATIONAL DOMESTIC VIOLENCE VOLUNTEER AT-**  
7 **TORNEY NETWORK.**

8 The Violence Against Women Act of 1994 (Public  
9 Law 103–322) is amended by adding at the end the fol-  
10 lowing:

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

4 **“SEC. 41701. 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 collabora-  
10 tion with the American Bar Association Committee  
11 on Pro Bono and Public Service and other organiza-  
12 tions to create, recruit lawyers for, and provide  
13 training, mentoring, and technical assistance for a  
14 National Domestic Violence Volunteer Attorney Net-  
15 work.

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

19 “(A) create and maintain a network to  
20 field and manage inquiries from volunteer law-  
21 yers seeking to represent and assist victims of  
22 domestic violence;

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

1           “(C) retain dedicated staff to support vol-  
2           unteer attorneys by—

3                   “(i) providing field technical assist-  
4                   ance inquiries;

5                   “(ii) providing on-going mentoring  
6                   and support;

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

11                  “(iv) developing legal education and  
12                  other training materials; and

13                  “(D) maintain a point of contact with the  
14                  statewide legal coordinator in each State re-  
15                  garding coordination of training, mentoring,  
16                  and supporting volunteer attorneys representing  
17                  victims of domestic violence.

18           “(b) AUTHORIZATION.—There are authorized to be  
19           appropriated to carry out this section \$2,000,000 for fiscal  
20           year 2009 and \$3,000,000 for each of the fiscal years  
21           2010 through 2013.

22           “(c) ELIGIBILITY FOR OTHER GRANTS.—A receipt of  
23           an award under this section by the Commission on Domes-  
24           tic Violence of the American Bar Association shall not pre-  
25           clude the Commission from receiving additional grants

1 under the Office on Violence Against Women’s Technical  
2 Assistance Program to carry out the purposes of that pro-  
3 gram.

4 “(d) OTHER CONDITIONS.—

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

15 “(2) STANDARD GRANT CONDITION.—Any  
16 award made to the American Bar Association’s  
17 Commission on Domestic Violence under this section  
18 shall be subject to the Office on Violence Against  
19 Women’s standard grant award conditions and re-  
20 porting requirements.

21 **“SEC. 41702. DOMESTIC VIOLENCE VOLUNTEER ATTORNEY**  
22 **REFERRAL PROGRAM.**

23 “(a) PILOT PROGRAM.—

24 “(1) IN GENERAL.—For fiscal year 2009, the  
25 Office on Violence Against Women of the Depart-

1       ment of Justice, in consultation with the Domestic  
2       Violence Legal Advisory Task Force, shall designate  
3       5 States in which to implement the pilot program of  
4       the National Domestic Violence Volunteer Attorney  
5       Referral Project and distribute funds under this sub-  
6       section.

7               “(2) CRITERIA.—Criteria for selecting the  
8       States for the pilot program under this subsection  
9       shall include—

10                   “(A) equitable distribution between urban  
11                   and rural areas and equitable geographical dis-  
12                   tribution;

13                   “(B) States that have a demonstrated ca-  
14                   pacity to coordinate among local and statewide  
15                   domestic violence organizations;

16                   “(C) States that have organizations serv-  
17                   ing immigrant women; and

18                   “(D) States that have volunteer legal serv-  
19                   ices offices throughout the State.

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

22                   “(A) provide for a coordinated system of  
23                   ensuring that domestic violence victims  
24                   throughout the pilot States have access to safe,  
25                   culturally, and linguistically appropriate rep-

1           representation in all legal matters arising as a con-  
2           sequence of the abuse or violence; and

3           “(B) support statewide legal coordinators  
4           in each pilot State to manage referrals for vic-  
5           tims to attorneys and to train attorneys on re-  
6           lated domestic violence issues.

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

10           “(A) be employed by the State domestic vi-  
11           olence coalition, unless the State domestic vio-  
12           lence coalition determines that the needs of vic-  
13           tims throughout the State would be best served  
14           if the coordinator was employed by another  
15           statewide organization;

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

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

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

24           “(i) legal services programs;

25           “(ii) volunteer programs;

1                   “(iii) organizations serving immigrant  
2                   women;

3                   “(iv) law school clinical programs;

4                   “(v) bar associations;

5                   “(vi) attorneys in the National Do-  
6                   mestic Violence Volunteer Attorney Net-  
7                   work; and

8                   “(vii) local domestic violence pro-  
9                   grams;

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

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

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

23                  “(H) receive referrals of victims seeking  
24                  legal representation from the National Domes-  
25                  tic Violence Hotline and other sources;

1           “(I) receive and disseminate information  
2           regarding 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  
9           program.

10           “(5) ELIGIBILITY FOR GRANTS.—The Attorney  
11           General shall award grants to statewide legal coordi-  
12           nators under this subsection for purposes of the  
13           pilot program established under paragraph (1).

14           “(6) AUTHORIZATION OF APPROPRIATIONS.—  
15           There are authorized to be appropriated \$750,000  
16           for fiscal year 2009 to fund at least 1 statewide co-  
17           ordinator position and other costs associated with  
18           the position in the 5 pilot program States under this  
19           subsection.

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

25           “(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  
4 ensuring that domestic violence victims  
5 throughout the country have access to safe, cul-  
6 turally, and linguistically appropriate represen-  
7 tation in legal matters arising as a consequence  
8 of the abuse or violence; and

9           “(B) support statewide legal coordinators  
10 in each State to coordinate referrals to domestic  
11 violence 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  
21 responsibilities 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  
4       Pilot Program in improving victims' access to cul-  
5       turally and linguistically appropriate legal represen-  
6       tation in the pilot States.

7               “(5) AUTHORIZATION OF APPROPRIATIONS.—  
8       There are authorized to be appropriated \$8,000,000  
9       for each of the fiscal years 2010 through 2013 to  
10      fund the statewide coordinator position in every  
11      State and 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. 41703. TECHNICAL ASSISTANCE FOR THE NATIONAL**  
18                   **DOMESTIC VIOLENCE VOLUNTEER ATTOR-**  
19                   **NEY 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 re-  
4       ceive additional funding to train and assist attorneys  
5       in 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 eligi-  
4 ble entity is a national domestic violence legal technical  
5 assistance 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  
13 technical assistance and support to lawyers rep-  
14 resenting victims of domestic violence.

15 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
16 are authorized to be appropriated to carry out this section  
17 \$800,000 for national domestic violence legal technical as-  
18 sistance providers for each of the fiscal years 2009  
19 through 2013.

20 **“SEC. 41704. NATIONAL DOMESTIC VIOLENCE HOTLINE**  
21 **LEGAL REFERRALS.**

22 “(a) LEGAL REFERRALS BY THE NATIONAL DOMES-  
23 TIC VIOLENCE HOTLINE.—

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

1 Hotline (as authorized by section 316 of the Family  
2 Violence Prevention and Services Act (42 U.S.C.  
3 10416)) to provide information about statewide legal  
4 coordinators 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  
12 Association Commission on Domestic Violence  
13 and the national domestic violence legal tech-  
14 nical assistance providers to train and provide  
15 appropriate assistance to the Hotline’s advo-  
16 cates on 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 authorized to  
22 be appropriated to carry out this subsection  
23 \$500,000 for each of the fiscal years 2009 through  
24 2013.

1       “(b) LEGAL REFERRALS BY INTERNET-BASED SERV-  
2 ICES FOR DOMESTIC VIOLENCE VICTIMS.—

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

9           “(2) USE OF FUNDS.—Funds allocated to  
10 Internet-based organizations under this subsection  
11 shall be used to—

12           “(A) collaborate with the American Bar  
13 Association Commission on Domestic Violence  
14 and the national domestic violence legal tech-  
15 nical assistance providers to train and provide  
16 appropriate assistance to personnel on referring  
17 legal services; and

18           “(B) maintain a network of legal services  
19 and statewide legal coordinators, and collabo-  
20 rate with the American Bar Association Com-  
21 mission on Domestic Violence and the National  
22 Domestic Violence Hotline.

23           “(3) AUTHORIZATION.—There are authorized to  
24 be appropriated to carry out this subsection

1       \$250,000 for each of the fiscal years 2009 through  
2       2013.

3       **“SEC. 41705. STUDY OF LEGAL REPRESENTATION OF DO-**  
4                                   **MESTIC VIOLENCE VICTIMS.**

5       “(a) IN GENERAL.—The National Institute of Jus-  
6       tice shall study the scope and quality of legal representa-  
7       tion and advocacy for victims of domestic violence, dating  
8       violence, and stalking, including the provision of culturally  
9       and linguistically appropriate services.

10       “(b) SCOPE OF STUDY.—The National Institute of  
11       Justice shall specifically assess the representation and ad-  
12       vocacy of—

13               “(1) organizations providing direct legal serv-  
14       ices and other support to victims of domestic vio-  
15       lence, dating violence, and stalking, including Legal  
16       Services Corporation grantees, non-Legal Services  
17       Corporation legal services organizations, domestic vi-  
18       olence programs receiving Legal Assistance for Vic-  
19       tims grants or other funds under this Act to provide  
20       legal assistance, volunteer programs (including those  
21       operated by bar associations and law firms), law  
22       schools which operate domestic violence, and family  
23       law clinical programs; and

24               “(2) organizations providing support to direct  
25       legal services delivery programs and to their volun-

1       teer attorneys, including State coalitions on domestic  
2       violence, the National Legal Aid and Defender Asso-  
3       ciation, the American Bar Association Commission  
4       on Domestic Violence, the American Bar Association  
5       Committee on Pro Bono and Public Service, State  
6       bar associations, judicial organizations, and national  
7       advocacy organizations (including the Legal Re-  
8       source Center on Violence Against Women, and the  
9       National Center on Full Faith and Credit).

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

12               “(1) what kind of legal assistance is provided to  
13       victims of domestic violence, such as counseling or  
14       representation in court proceedings;

15               “(2) number of lawyers on staff;

16               “(3) how legal services are being administered  
17       in a culturally and linguistically appropriate manner,  
18       and the number of multilingual advocates;

19               “(4) what type of cases are related to the  
20       abuse, such as protective orders, divorce, housing,  
21       and child custody matters, and immigration filings;

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

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

4           “(7) what existing technical assistance or train-  
5           ing on domestic violence and legal skills is provided  
6           to attorneys providing legal services to victims of do-  
7           mestic violence;

8           “(8) what training or technical assistance for  
9           attorneys would improve the provision of legal serv-  
10          ices to victims of domestic violence;

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

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

15          “(11) whether they provide support to or spon-  
16          sor a pro bono legal program providing legal rep-  
17          resentation to victims of domestic violence.

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

22          **“SEC. 41706. ESTABLISH A DOMESTIC VIOLENCE LEGAL AD-  
23          VISORY TASK FORCE.**

24          “(a) IN GENERAL.—The Attorney General shall es-  
25          tablish the Domestic Violence Legal Advisory Task Force

1 to provide guidance for the implementation of the Study  
2 of Legal Representation of Domestic Violence Victims  
3 under section 41705, the Pilot Program for the National  
4 Domestic Violence Volunteer Attorney Referral Project  
5 under section 41702(a), and the National Program for the  
6 National Domestic Violence Volunteer Attorney Referral  
7 Project under section 41702(b).

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

16       “(c) RESPONSIBILITIES.—The Task Force shall—

17               “(1) provide ongoing advice to the American  
18 Bar Association Commission on Domestic Violence,  
19 the National Domestic Violence Hotline, and the  
20 Statewide Coordinators regarding implementation of  
21 the pilot program under section 41702(a) and the  
22 National Program of the Domestic Violence Volun-  
23 teen Attorney Referral Project under section  
24 41702(b);

1           “(2) provide recommendations to the Office on  
2           Violence Against Women regarding the selection of  
3           the 5 sites for the pilot program under section  
4           41702(a); and

5           “(3) attend regular meetings covered by the  
6           American Bar Association Commission on Domestic  
7           Violence.

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

10          “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
11          are authorized to be appropriated to carry out this section  
12          \$100,000 for each of the fiscal years 2009 through  
13          2013.”.

○