
HOUSE BILL 2496

State of Washington

64th Legislature

2016 Regular Session

By Representatives Kilduff, Muri, Shea, Orwall, Klippert, Hayes, Sawyer, Hansen, Rodne, Haler, Goodman, Jinkins, Kuderer, Appleton, Zeiger, Frame, Rossetti, Magendanz, Wilson, McBride, Ormsby, Bergquist, Gregerson, Sells, Stanford, and Scott; by request of Attorney General

Read first time 01/14/16. Referred to Committee on Judiciary.

1 AN ACT Relating to pro bono legal services for military service
2 members, veterans, and their families; and adding new sections to
3 chapter 43.10 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) There is hereby created an office of
6 military and veteran legal assistance within the office of the
7 attorney general for the purpose of promoting and facilitating civil
8 legal assistance programs, pro bono services, and self-help services
9 for military service members, veterans, and their family members
10 domiciled or stationed in Washington state.

11 (2) For the purposes of sections 1 through 3 of this act, the
12 following definitions apply:

13 (a) The term "service member" means an active or reserve member
14 in any branch of the armed forces of the United States, including the
15 national guard, coast guard, and armed forces reserves.

16 (b) The term "veteran" has the same meaning as defined in RCW
17 41.04.005 and 41.04.007.

18 (c) The term "family member" means the spouse or domestic
19 partner, surviving spouse, surviving domestic partner, and dependent
20 minor children of a living or deceased service member or veteran for
21 whom the service member or veteran provided at least one-half of that

1 person's support in the previous one hundred eighty days before
2 seeking assistance of the programs and services authorized by this
3 chapter.

4 (3) The attorney general may not directly provide legal
5 assistance, advice, or representation in any context, unless
6 otherwise authorized by law, and the attorney general may not provide
7 legal assistance programs, pro bono services, or self-help services
8 to a service member, veteran, or family member being criminally
9 prosecuted.

10 NEW SECTION. **Sec. 2.** The office of military and veteran legal
11 assistance shall:

12 (1) Recruit and train volunteer attorneys and service programs
13 willing to perform pro bono services for service members, veterans,
14 and their family members, and create and maintain a registry of the
15 same;

16 (2) Assess and assign requests for pro bono services to volunteer
17 attorneys and service programs registered with the office; and

18 (3) Establish an advisory committee that will include, among
19 others, representatives from legal assistance offices on military
20 installations, the office of civil legal aid, the Washington state
21 bar association's legal assistance to military personnel section,
22 relevant office of military service and support organizations, and
23 organizations involved in coordinating, supporting, and delivering
24 civil legal aid and pro bono legal services in Washington state. The
25 committee shall provide advice and assistance regarding program
26 design, operation, volunteer recruitment and support strategies,
27 service delivery objectives and priorities, and funding.

28 NEW SECTION. **Sec. 3.** The attorney general may apply for and
29 receive grants, gifts, donations, bequests, or other contributions to
30 help support and to be used exclusively for the operations of the
31 office of military and veteran legal assistance.

32 NEW SECTION. **Sec. 4.** (1) Any attorney who is licensed to
33 practice law in this state and who renders pro bono services for the
34 office of military and veteran legal assistance is not liable for any
35 civil damages as a result of any act or omission by the attorney in
36 rendering such services if the services were rendered in good faith
37 and in a manner not amounting to gross negligence.

1 (2) The state is not liable in any civil action for any
2 deleterious outcomes from the activities described in section 2 of
3 this act.

4 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act are each
5 added to chapter 43.10 RCW.

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