

FINAL BILL REPORT

SHB 1055

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Synopsis as Enacted

Brief Description: Concerning pro bono legal services for military service members, veterans, and their families.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Kilduff, Muri, Haler, Shea, Appleton, Klippert, Lovick, Stokesbary, Stanford, Jinkins, Reeves, MacEwen, Koster, Hayes, Barkis, Kloba, Frame, Ormsby, Bergquist, Goodman, Gregerson, Young, Kirby, Fey, Slatter, Sawyer and Tarleton; by request of Attorney General).

House Committee on Judiciary
House Committee on Appropriations
Senate Committee on Law & Justice
Senate Committee on Ways & Means

Background:

Civil legal aid programs provide free or low-cost legal services designed to help low-income individuals, families, and communities.

Civil legal aid services available for low-income veterans, military personnel, and their families in Washington include:

- the Northwest Justice Project's Veterans Program, which provides free legal services to financially eligible low-income and homeless veterans on a variety of issues, such as employment, housing, child support, and vacating criminal records;
- the Washington State Bar Association's (WSBA) "Call to Duty" program, which facilitates referrals and access to free or reduced-fee legal help for low-income veterans; and
- the WSBA's Legal Assistance to Military Personnel Section, which addresses matters related to providing appropriate and efficient legal service to members of the United States Armed Forces and compiles a list of legal resources for veterans.

National and regional organizations providing civil legal aid services to veterans, military personnel, and their families include:

- the American Bar Association's (ABA) Standing Committee on Legal Assistance for Military Personnel, which supports several initiatives to deliver legal assistance to

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- service members, veterans, and their families, such as ABA Home Front, ABA Military Pro Bono Project, and ABA Veterans' Claims Assistance Network; and
- the Veterans Consortium Pro Bono Program, which provides pro bono professional services to veterans and military families.

Other protections and resources available to veterans, military personnel, and their families include:

- the federal Servicemember's Civil Relief Act, which provides a number of protections to military personnel on active duty, including protecting service members from default judgments and staying court proceedings if the service member is unable to defend his or her interests in the proceeding;
- the Washington Service Member's Civil Relief Act, which provides certain rights and protections in civil proceedings to service members and their dependents; and
- the Office of the Attorney General's *Military & Veteran Legal Resource Guide*, which is designed to help inform veterans, military personnel, and their families about available benefits and protections regarding issues such as employment and housing discrimination.

Summary:

The Office of Military and Veteran Legal Assistance (the Office) is created within the Office of the Attorney General, subject to the availability of amounts appropriated for this specific purpose. The purpose of the Office is to promote and facilitate civil legal assistance programs, pro bono services, and self-help services for military service members, veterans, and their family members domiciled or stationed in Washington.

Definitions.

"Family member" is defined as the spouse or domestic partner, surviving spouse, surviving domestic partner, and dependent minor children under 21 years of age of a living or deceased service member or veteran for whom the service member or veteran provided at least one-half of that person's support in the previous 180 days before seeking assistance of the program.

The Attorney General may not: (1) directly provide legal assistance, advice, or representation in any context, unless otherwise authorized by law; or (2) provide legal assistance, pro bono services, or self-help services to a service member, veteran, or family member being criminally prosecuted.

Duties of the Office of Military and Veteran Legal Assistance.

The Office must:

- recruit and train volunteer attorneys and create and maintain a registry of service programs and volunteer attorneys willing to perform pro bono services for service members, veterans, and their family members; and
- assess and assign requests for pro bono services to volunteer attorneys and service programs registered with the Office.

Advisory Committee.

The Office must establish an advisory committee to provide advice and assistance regarding program design, operation, volunteer recruitment and support strategies, service delivery objectives and priorities, and funding. The committee must include, among others:

- representatives from legal assistance offices on military installations;
- the Office of Civil Legal Aid;
- the Washington State Bar Association's Legal Assistance to Military Personnel Section;
- the Washington State Veterans Bar Association;
- relevant military service and support organizations; and
- organizations involved in coordinating, supporting, and delivering civil legal aid and pro bono legal services in Washington.

The Attorney General may apply for and receive grants, gifts, donations, bequests, or other contributions to help support, and to be used exclusively for, the operations of the Office.

Votes on Final Passage:

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| House | 98 | 0 | |
| Senate | 49 | 0 | (Senate amended) |
| House | 95 | 0 | (House concurred) |

Effective: July 23, 2017