

In the House of Representatives, U. S.,

July 17, 2018.

Resolved, That the bill from the Senate (S. 717) entitled “An Act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Pro bono Work to Em-*
3 *power and Represent Act of 2018” or the “POWER Act”.*

4 ***SEC. 2. FINDINGS.***

5 *Congress finds the following:*

6 *(1) Extremely high rates of domestic violence,*
7 *dating violence, sexual assault, and stalking exist at*
8 *the local, State, tribal, and national levels and such*
9 *violence or behavior harms the most vulnerable mem-*
10 *bers of our society.*

11 *(2) According to a study commissioned by the*
12 *Department of Justice, nearly 25 percent of women*
13 *suffer from domestic violence during their lifetime.*

14 *(3) Proactive efforts should be made available in*
15 *all forums to provide pro bono legal services and*

1 *eliminate the violence that destroys lives and shatters*
2 *families.*

3 *(4) A variety of factors cause domestic violence,*
4 *dating violence, sexual assault, and stalking, and a*
5 *variety of solutions at the local, State, and national*
6 *levels are necessary to combat such violence or behav-*
7 *ior.*

8 *(5) According to the National Network to End*
9 *Domestic Violence, which conducted a census includ-*
10 *ing almost 1,700 assistance programs, over the course*
11 *of 1 day in September 2014, more than 10,000 re-*
12 *quests for services, including legal representation,*
13 *were not met.*

14 *(6) Pro bono assistance can help fill this need by*
15 *providing not only legal representation, but also ac-*
16 *cess to emergency shelter, transportation, and*
17 *childcare.*

18 *(7) Research and studies have demonstrated that*
19 *the provision of legal assistance to victims of domestic*
20 *violence, dating violence, sexual assault, and stalking*
21 *reduces the probability of such violence or behavior re-*
22 *occurring in the future and can help survivors move*
23 *forward.*

24 *(8) Legal representation increases the possibility*
25 *of successfully obtaining a protective order against an*

1 *attacker, which prevents further mental and physical*
2 *injury to a victim and his or her family, as dem-*
3 *onstrated by a study that found that 83 percent of*
4 *victims represented by an attorney were able to ob-*
5 *tain a protective order, whereas only 32 percent of*
6 *victims without an attorney were able to do so.*

7 *(9) The American Bar Association Model Rules*
8 *include commentary stating that “every lawyer, re-*
9 *gardless of professional prominence or professional*
10 *workload, has a responsibility to provide legal services*
11 *to those unable to pay, and personal involvement in*
12 *the problems of the disadvantaged can be one of the*
13 *most rewarding experiences in the life of a lawyer”.*

14 *(10) As leaders in their legal communities,*
15 *judges in district courts should encourage lawyers to*
16 *provide pro bono resources in an effort to help victims*
17 *of such violence or behavior escape the cycle of abuse.*

18 *(11) A dedicated army of pro bono attorneys fo-*
19 *cused on this mission will inspire others to devote ef-*
20 *forts to this cause and will raise awareness of the*
21 *scourge of domestic violence, dating violence, sexual*
22 *assault, and stalking throughout the country.*

23 *(12) Communities, by providing awareness of*
24 *pro bono legal services and assistance to survivors of*
25 *domestic violence, dating violence, sexual assault, and*

1 *stalking, will empower those survivors to move for-*
 2 *ward with their lives.*

3 **SEC. 3. DISTRICT COURTS TO PROMOTE EMPOWERMENT**
 4 **EVENTS.**

5 (a) *IN GENERAL.*—Not later than 1 year after the date
 6 *of enactment of this Act, and annually thereafter for a pe-*
 7 *riod of 4 years, the chief judge, or his or her designee, for*
 8 *each judicial district shall lead not less than one public*
 9 *event, in partnership with a State, local, tribal, or terri-*
 10 *torial domestic violence service provider or coalition and*
 11 *a State or local volunteer lawyer project, promoting pro*
 12 *bono legal services as a critical way in which to empower*
 13 *survivors of domestic violence, dating violence, sexual as-*
 14 *sault, and stalking and engage citizens in assisting those*
 15 *survivors.*

16 (b) *DISTRICTS CONTAINING INDIAN TRIBES AND TRIB-*
 17 *AL ORGANIZATIONS.*—During each 2-year period, the chief
 18 *judge, or his or her designee, for a judicial district that con-*
 19 *tains an Indian tribe or tribal organization (as those terms*
 20 *are defined in section 4 of the Indian Self-Determination*
 21 *and Education Assistance Act (25 U.S.C. 5304)) shall lead*
 22 *not less than one public event promoting pro bono legal*
 23 *services under subsection (a) of this section in partnership*
 24 *with an Indian tribe or tribal organization with the intent*
 25 *of increasing the provision of pro bono legal services for*

1 *Indian or Alaska Native victims of domestic violence, dat-*
 2 *ing violence, sexual assault, and stalking.*

3 (c) *REQUIREMENTS.—Each chief judge shall—*

4 (1) *have discretion as to the design, organiza-*
 5 *tion, and implementation of the public events re-*
 6 *quired under subsection (a); and*

7 (2) *in conducting a public event under sub-*
 8 *section (a), seek to maximize the local impact of the*
 9 *event and the provision of access to high-quality pro*
 10 *bono legal services by survivors of domestic violence,*
 11 *dating violence, sexual assault, and stalking.*

12 **SEC. 4. REPORTING REQUIREMENTS.**

13 (a) *REPORT TO THE DIRECTOR OF THE ADMINISTRA-*
 14 *TIVE OFFICE OF THE UNITED STATES COURTS.—Not later*
 15 *than October 30 of each year, each chief judge shall submit*
 16 *to the Director of the Administrative Office of the United*
 17 *States Courts a report detailing each public event conducted*
 18 *under section 3 during the previous fiscal year.*

19 (b) *REPORT TO CONGRESS.—*

20 (1) *IN GENERAL.—Not later than January 1 of*
 21 *each year, the Director of the Administrative Office of*
 22 *the United States Courts shall submit to Congress a*
 23 *compilation and summary of each report received*
 24 *under subsection (a) for the previous fiscal year.*

1 (2) *REQUIREMENT.*—*Each comprehensive report*
2 *submitted under paragraph (1) shall include an anal-*
3 *ysis of how each public event meets the goals set forth*
4 *in this Act, as well as suggestions on how to improve*
5 *future public events.*

6 **SEC. 5. FUNDING.**

7 *The Administrative Office of the United States Courts*
8 *shall use existing funds to carry out the requirements of*
9 *this Act.*

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

S. 717

AMENDMENT