

117TH CONGRESS
1ST SESSION

S. 3114

To expand and improve the Legal Assistance for Victims Grant Program to ensure legal assistance is provided for survivors in proceedings related to domestic violence and sexual assault, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2021

Mr. SULLIVAN (for himself and Mr. PADILLA) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To expand and improve the Legal Assistance for Victims Grant Program to ensure legal assistance is provided for survivors in proceedings related to domestic violence and sexual assault, and for other purposes.

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 “Ensuring Representa-
5 tion for Survivors Act”.

1 **SEC. 2. ENSURING ACCESS TO LEGAL ASSISTANCE IN PRO-**
 2 **CEEDINGS RELATED TO DOMESTIC VIO-**
 3 **LENCE AND SEXUAL ASSAULT.**

4 Section 1201 of the Violence Against Women Act of
 5 2000 (34 U.S.C. 20121) is amended—

6 (1) by redesignating subsection (f) as sub-
 7 section (g);

8 (2) by inserting after subsection (e) the fol-
 9 lowing:

10 “(f) GRANTS TO STATES TO ENSURE ACCESS TO
 11 LEGAL ASSISTANCE.—

12 “(1) IN GENERAL.—In each fiscal year, the At-
 13 torney General shall award to each State submitting
 14 an application under paragraph (3) a grant in an
 15 amount equal to .5 percent of the total amount ap-
 16 propriated under subsection (g) for the fiscal year,
 17 to be used to provide legal assistance to survivors of
 18 domestic violence, dating violence, stalking, and sex-
 19 ual assault, with the goal of all survivors of domestic
 20 violence, dating violence, stalking, and sexual assault
 21 receiving legal assistance.

22 “(2) USE OF FUNDS.—

23 “(A) IN GENERAL.—Any funds received by
 24 a State under this subsection shall be distrib-
 25 uted by the State to public or private entities
 26 within the State to implement, expand, and es-

1 tablish efforts and projects to provide legal as-
2 sistance, including pro bono representation and
3 legal advocacy, to help survivors of domestic vi-
4 olence, dating violence, stalking, or sexual as-
5 sault—

6 “(i) initiate or respond to motions to
7 vacate or expunge a conviction, or similar
8 actions, where the jurisdiction permits
9 such a legal action based on a person’s
10 being a crime victim; and

11 “(ii) other legal actions, other than
12 tort actions, which, in the civil context, are
13 reasonably necessary as a direct result of
14 the victimization, such as—

15 “(I) civil legal assistance with di-
16 vorce, child custody, child welfare, and
17 support proceedings with cor-
18 responding enforcement;

19 “(II) assistance with and rep-
20 resentation at proceedings for protec-
21 tive orders, restraining orders, or
22 other stay-away orders;

23 “(III) assistance with contract,
24 housing, employment, education,

1 healthcare, benefits, and privacy mat-
 2 ters; and

3 “(IV) intervention with creditors,
 4 law enforcement officers, and other
 5 entities on behalf of survivors of iden-
 6 tity theft and financial fraud.

7 “(B) ELIGIBILITY.—A public or private
 8 entity seeking distribution of grant funds re-
 9 ceived by a State under this subsection shall
 10 meet the eligibility requirements described in
 11 subsection (d).

12 “(3) APPLICATION.—Each State seeking a
 13 grant under this subsection shall submit an applica-
 14 tion to the Attorney General at such time and in
 15 such manner as the Attorney General may reason-
 16 ably require.”; and

17 (3) in subsection (g), as so redesignated, by
 18 striking “\$57,000,000 for each of fiscal years 2014
 19 through 2018” and inserting “\$80,000,000 for each
 20 of fiscal years 2021 through 2025”.

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