

116TH CONGRESS  
1ST SESSION

# S. 1959

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.

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IN THE SENATE OF THE UNITED STATES

JUNE 25, 2019

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

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## 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) assert their rights as victims in a  
7                   criminal proceeding, other than prosecu-  
8                   tion, directly related to the victimization,  
9                   or otherwise protect their safety, privacy,  
10                  or other interests as victims in such pro-  
11                  ceedings;

12                  “(ii) initiate or respond to motions to  
13                  vacate or expunge a conviction, or similar  
14                  actions, where the jurisdiction permits  
15                  such a legal action based on a person’s  
16                  being a crime victim; and

17                  “(iii) other legal actions, other than  
18                  tort actions, which, in the civil context, are  
19                  reasonably necessary as a direct result of  
20                  the victimization, such as—

21                   “(I) civil legal assistance with di-  
22                   vorce, child custody, child welfare, and  
23                   support proceedings with cor-  
24                   responding enforcement;

1                   “(II) assistance with and rep-  
2                   resentation at proceedings for protec-  
3                   tive orders, restraining orders, or  
4                   other stay-away orders;

5                   “(III) assistance with contract,  
6                   housing, employment, education,  
7                   healthcare, benefits, and privacy mat-  
8                   ters; and

9                   “(IV) intervention with creditors,  
10                  law enforcement officers, and other  
11                  entities on behalf of survivors of iden-  
12                  tity theft and financial fraud.

13                  “(B) ELIGIBILITY.—A public or private  
14                  entity seeking distribution of grant funds re-  
15                  ceived by a State under this subsection shall  
16                  meet the eligibility requirements described in  
17                  subsection (d).

18                  “(3) APPLICATION.—Each State seeking a  
19                  grant under this subsection shall submit an applica-  
20                  tion to the Attorney General at such time and in  
21                  such manner as the Attorney General may reason-  
22                  ably require.”; and

23                  (3) in subsection (g), as so redesignated, by  
24                  striking “\$57,000,000 for each of fiscal years 2014

1 through 2018” and inserting “\$80,000,000 for each  
2 of fiscal years 2020 through 2024”.

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