

Suspend the Rules and Pass the Bill, S. 717, With an Amendment
**(The amendment strikes all after the enacting clause and inserts a
new text)**

115TH CONGRESS
1ST SESSION

S. 717

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2017

Referred to the Committee on the Judiciary

AN ACT

To promote pro bono legal services as a critical way in
which to empower survivors of domestic violence.

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 “Pro bono Work to Em-
5 power and Represent Act of 2018” or the “POWER Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Extremely high rates of domestic violence,
9 dating violence, sexual assault, and stalking exist at
10 the local, State, tribal, and national levels and such

1 violence or behavior harms the most vulnerable
2 members of our society.

3 (2) According to a study commissioned by the
4 Department of Justice, nearly 25 percent of women
5 suffer from domestic violence during their lifetime.

6 (3) Proactive efforts should be made available
7 in all forums to provide pro bono legal services and
8 eliminate the violence that destroys lives and shat-
9 ters families.

10 (4) A variety of factors cause domestic violence,
11 dating violence, sexual assault, and stalking, and a
12 variety of solutions at the local, State, and national
13 levels are necessary to combat such violence or be-
14 havior.

15 (5) According to the National Network to End
16 Domestic Violence, which conducted a census includ-
17 ing almost 1,700 assistance programs, over the
18 course of 1 day in September 2014, more than
19 10,000 requests for services, including legal rep-
20 resentation, were not met.

21 (6) Pro bono assistance can help fill this need
22 by providing not only legal representation, but also
23 access to emergency shelter, transportation, and
24 childcare.

1 (7) Research and studies have demonstrated
2 that the provision of legal assistance to victims of
3 domestic violence, dating violence, sexual assault,
4 and stalking reduces the probability of such violence
5 or behavior reoccurring in the future and can help
6 survivors move forward.

7 (8) Legal representation increases the possi-
8 bility of successfully obtaining a protective order
9 against an attacker, which prevents further mental
10 and physical injury to a victim and his or her family,
11 as demonstrated by a study that found that 83 per-
12 cent of victims represented by an attorney were able
13 to obtain a protective order, whereas only 32 percent
14 of victims without an attorney were able to do so.

15 (9) The American Bar Association Model Rules
16 include commentary stating that “every lawyer, re-
17 gardless of professional prominence or professional
18 workload, has a responsibility to provide legal serv-
19 ices to those unable to pay, and personal involve-
20 ment in the problems of the disadvantaged can be
21 one of the most rewarding experiences in the life of
22 a lawyer”.

23 (10) As leaders in their legal communities,
24 judges in district courts should encourage lawyers to
25 provide pro bono resources in an effort to help vic-

1 tims of such violence or behavior escape the cycle of
2 abuse.

3 (11) A dedicated army of pro bono attorneys fo-
4 cused on this mission will inspire others to devote ef-
5 forts to this cause and will raise awareness of the
6 scourge of domestic violence, dating violence, sexual
7 assault, and stalking throughout the country.

8 (12) Communities, by providing awareness of
9 pro bono legal services and assistance to survivors of
10 domestic violence, dating violence, sexual assault,
11 and stalking, will empower those survivors to move
12 forward with their lives.

13 **SEC. 3. DISTRICT COURTS TO PROMOTE EMPOWERMENT**
14 **EVENTS.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, and annually thereafter for
17 a period of 4 years, the chief judge, or his or her designee,
18 for each judicial district shall lead not less than 1 public
19 event, in partnership with a State, local, tribal, or terri-
20 torial domestic violence service provider or coalition and
21 a State or local volunteer lawyer project, promoting pro
22 bono legal services as a critical way in which to empower
23 survivors of domestic violence, dating violence, sexual as-
24 sault, and stalking and engage citizens in assisting those
25 survivors.

1 (b) DISTRICTS CONTAINING INDIAN TRIBES AND
2 TRIBAL ORGANIZATIONS.—During each 2-year period, the
3 chief judge, or his or her designee, for a judicial district
4 that contains an Indian tribe or tribal organization (as
5 those terms are defined in section 4 of the Indian Self-
6 Determination and Education Assistance Act (25 U.S.C.
7 5304)) shall lead not less than 1 public event promoting
8 pro bono legal services under subsection (a) of this section
9 in partnership with an Indian tribe or tribal organization
10 with the intent of increasing the provision of pro bono
11 legal services for Indian or Alaska Native victims of do-
12 mestic violence, dating violence, sexual assault, and stalk-
13 ing.

14 (c) REQUIREMENTS.—Each chief judge shall—

15 (1) have discretion as to the design, organiza-
16 tion, and implementation of the public events re-
17 quired under subsection (a); and

18 (2) in conducting a public event under sub-
19 section (a), seek to maximize the local impact of the
20 event and the provision of access to high-quality pro
21 bono legal services by survivors of domestic violence,
22 dating violence, sexual assault, and stalking.

23 **SEC. 4. REPORTING REQUIREMENTS.**

24 (a) REPORT TO THE DIRECTOR OF THE ADMINISTRA-
25 TIVE OFFICE OF THE UNITED STATES COURTS.—Not

1 later than October 30 of each year, each chief judge shall
2 submit to the Director of the Administrative Office of the
3 United States Courts a report detailing each public event
4 conducted under section 3 during the previous fiscal year.

5 (b) REPORT TO CONGRESS.—

6 (1) IN GENERAL.—Not later than January 1 of
7 each year, the Director of the Administrative Office
8 of the United States Courts shall submit to Con-
9 gress a compilation and summary of each report re-
10 ceived under subsection (a) for the previous fiscal
11 year.

12 (2) REQUIREMENT.—Each comprehensive re-
13 port submitted under paragraph (1) shall include an
14 analysis of how each public event meets the goals set
15 forth in this Act, as well as suggestions on how to
16 improve future public events.

17 **SEC. 5. FUNDING.**

18 The Administrative Office of the United States
19 Courts shall use existing funds to carry out the require-
20 ments of this Act.