

SHB 2496 - S COMM AMD

By Committee on Ways & Means

1 Strike everything after the enacting clause and insert the
2 following:

3

4 "NEW SECTION. **Sec. 1.** (1) There is hereby created an office of
5 military and veteran legal assistance within the office of the
6 attorney general for the purpose of promoting and facilitating civil
7 legal assistance programs, pro bono services, and self-help services
8 for military service members, veterans, and their family members
9 domiciled or stationed in Washington state.

10 (2) For the purposes of sections 1 through 3 of this act, the
11 following definitions apply:

12 (a) The term "service member" means an active or reserve member
13 in any branch of the armed forces of the United States, including
14 the national guard, coast guard, and armed forces reserves.

15 (b) The term "veteran" has the same meaning as defined in RCW
16 41.04.005 and 41.04.007.

17 (c) The term "family member" means the spouse or domestic
18 partner, surviving spouse, surviving domestic partner, and dependent
19 minor children of a living or deceased service member or veteran for
20 whom the service member or veteran provided at least one-half of
21 that person's support in the previous one hundred eighty days before
22 seeking assistance of the programs and services authorized by this
23 chapter.

24 (3) The attorney general may not directly provide legal
25 assistance, advice, or representation in any context, unless
26 otherwise authorized by law, and the attorney general may not
27 provide legal assistance programs, pro bono services, or self-help

1 services to a service member, veteran, or family member being
2 criminally prosecuted.

3

4 NEW SECTION. **Sec. 2.** The office of military and veteran legal
5 assistance shall:

6 (1) Recruit and train volunteer attorneys and service programs
7 willing to perform pro bono services for service members, veterans,
8 and their family members, and create and maintain a registry of the
9 same;

10 (2) Assess and assign requests for pro bono services to
11 volunteer attorneys and service programs registered with the office;
12 and

13 (3) Establish an advisory committee that will include, among
14 others, representatives from legal assistance offices on military
15 installations, the office of civil legal aid, the Washington state
16 bar association's legal assistance to military personnel section,
17 the Washington state veterans bar association, relevant office of
18 military service and support organizations, and organizations
19 involved in coordinating, supporting, and delivering civil legal aid
20 and pro bono legal services in Washington state. The committee shall
21 provide advice and assistance regarding program design, operation,
22 volunteer recruitment and support strategies, service delivery
23 objectives and priorities, and funding.

24

25 NEW SECTION. **Sec. 3.** The attorney general may apply for and
26 receive grants, gifts, donations, bequests, or other contributions
27 to help support and to be used exclusively for the operations of the
28 office of military and veteran legal assistance.

29

30 NEW SECTION. **Sec. 4.** (1) Any attorney who is licensed to
31 practice law in this state and who renders pro bono services for the
32 office of military and veteran legal assistance is not liable for
33 any civil damages as a result of any act or omission by the attorney

34

1 in rendering such services if the services were rendered in good
2 faith and in a manner not amounting to gross negligence.

3 (2) The state is not liable in any civil action for any
4 deleterious outcomes from the activities described in section 2 of
5 this act.

6
7 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act are each
8 added to chapter 43.10 RCW."

9
10 EFFECT: Restores language to the bill that provides immunity
from liability for volunteer legal services provided under the bill.

--- END ---