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SENATE BILL NO. 760

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 13, 2000)

(Patron Prior to Substitute—Senator Forbes)

A BILL to restrict the use of state funds appropriated for the provision of civil legal assistance to the indigent.

Be it enacted by the General Assembly of Virginia:

1. § 1. State funds appropriated to the Legal Services Corporation of Virginia for the provision of civil legal assistance to the indigent shall be subject to the same restrictions placed on recipients of Legal Service Corporation funds as set forth in § 504 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134); provided, however, that:

1. Nothing in this act shall be construed to prohibit a recipient from contacting, communicating with, or responding to any request from (i) a federal, state or local government agency concerning any agency proposal or rulemaking or (ii) a federal, state or local legislative body or committee, or a member thereof, concerning any pending or proposed legislation;

2. Nothing in this act shall be construed to require a recipient to comply with any timekeeping and related administrative requirements enumerated in § 504 (a)(10);

3. Nothing in this act shall be construed to prohibit a recipient from using state appropriated funds to complete any cases or seek attorney's fees in those cases filed in court or any other adjudicatory or rulemaking forum as long as those cases are filed before March 15, 2000; and

4. Nothing in this act shall be construed to prohibit a recipient from using state appropriated funds to provide legal assistance to victims of domestic violence regardless of the victim's alienage status.

In addition, any grantee receiving state funds from the Legal Services Corporation of Virginia for the provision of legal assistance to the indigent shall disclose to the public, in written form upon request, and to the Legal Services Corporation of Virginia in semiannual reports, the style of each case and the name of the court in which it was filed unless such information is protected by an order of the court or by state or federal law or revealing such information would put the client of the recipient of such state funds at risk of physical harm.