



Quarterly E-Newsletter

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Legislative Updates

The following are summaries of statutes involving domestic violence that we hope will be useful to practitioners. If you know of recent legislation that you would like to be included in future newsletters please send them to Robin Runge at runger@staff.abanet.org.

Biden introduces The National Domestic Violence Volunteer Attorney Act

<http://biden.senate.gov/newsroom/details.cfm?id=275145&&>

On May 25, 2007, U.S. Senator Joseph Biden (D-DE) introduced Senate Bill 1515. This act authorizes the Attorney General to award grants to the American Bar Association Commission on Domestic Violence to work in collaboration with the American Bar Association Committee on Pro Bono and Public Service and other organizations to create, recruit lawyers for, and provide training, mentoring, and technical assistance for a National Domestic Violence Volunteer Attorney Network. It also requires the Office on Violence Against Women of the Department of Justice to designate five states in which to implement the pilot program of a National Domestic Violence Volunteer Attorney Referral Project and distribute funds under this Act and requires the Attorney General to award grants to national domestic violence legal technical assistance providers to expand their services to provide training and ongoing technical assistance to volunteer attorneys in the Network, statewide legal coordinators, the National Domestic Violence Hotline, and Internet-based legal referral organizations.

In addition, the Act authorizes the Attorney General to: (1) award grants to the National Domestic Violence Hotline to provide information about statewide legal coordinators and legal services; and (2) award grants to Internet-based non-profit organizations with a demonstrated expertise on domestic violence to provide state-specific information about statewide legal coordinators and legal services through the Internet. It also directs the GAO to study and report to Congress on the scope and quality of legal representation and advocacy for victims of

domestic violence, dating violence, and stalking, including the provision of culturally and linguistically appropriate services.

To read ABA President Karen Mathis' and Commission Chair Pamila Brown's comments on the bill, click [here](#).

Murray Holds Hearing and Introduces Senate Bill on Domestic Violence in the Workplace

<http://murray.senate.gov/news.cfm?id=272500>

On April 17, 2007 U.S. Senator Patty Murray (D-WA) introduced legislation and chaired a hearing that focused on domestic violence in the workplace. Senator Murray called the hearing to examine ways to end domestic violence in the workplace and to address the economic barriers that trap victims in abusive relationships. The hearing of the Senate HELP Subcommittee on Employment and Workplace Safety was the first Senate hearing on domestic violence in the workplace in 5 years.

On behalf of the ABA, Commission Chair Judge Pamila Brown provided written testimony for the hearing ([Read Testimony](#)). Other witnesses included: Kathy Rodgers, president of Legal Momentum ([Read Testimony](#)), Laura Fortman, Commissioner of the State of Maine Department of Labor ([Read Testimony](#)), Sue Willman, Attorney, Spencer, Fane Britt & Browne ([Read Testimony](#)).

The hearing also coincided with Senator Murray's introduction of legislation that addresses financial security issues that sometimes keep victims in violent relationships. Her legislation, entitled The Survivors' Empowerment and Economic Security Act (S.1136):

- Allows victims to take time off from work without penalty in order to make court appearances, seek legal assistance, and get help with safety planning.
- Allows victims in every state access to unemployment benefits if they are fired or forced to leave their job because of abuse.
- Prohibits discrimination in employment and insurance based on domestic or sexual violence, to ensure that victims are never punished for their abusers' crimes.
- Strengthens the Family Violence Option in the Temporary Assistance for Needy Families program (TANF), in order to protect some of the most economically vulnerable victims.

Roybal-Allard & Poe Introduce House Bill on Domestic Violence in the Workplace

<http://www.house.gov/roybal-allard/press/pr050630.html>

On May 21, 2007 Congresswoman Lucille Roybal-Allard (D-CA, 34) and Congressman Ted Poe (R-TX, 2) introduced the Security and Financial Empowerment Act (SAFE - HR 2395) in order to give victims of domestic violence greater economic stability and to create a federal standard for employers to address the effects of domestic violence on employees.

Under the SAFE Act, victims of domestic violence who are forced to leave a job because of the abuse would be eligible for unemployment benefits. They would also be able to take unpaid leave from work without the fear of being fired to address immediate needs such as obtaining legal assistance, medical care or to find a safe place to live.

More specifically, the SAFE Act would do the following:

- Allow eligible employees to take up to 30 days of unpaid leave to handle domestic violence-related priorities such as finding a new place to live, obtaining medical care, seeking counseling and attending court appearances related to restraining orders and divorce and child custody proceedings.
- Allow victims who are forced to leave their jobs because of domestic violence to qualify for unemployment benefits.
- Prohibit employers from discriminating against victims of domestic violence in areas such as hiring, compensation and other conditions of employment.
- Prohibit insurance companies and employers from dropping insurance coverage of victims of domestic and sexual violence because of a fear of abuse-related insurance claims. The bill would also establish confidentiality guidelines regarding a victim's past injuries and treatment.

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