

34 U.S. Code § 20121 - Legal assistance for victims

(a) In general

The purpose of this section is to enable the Attorney General to award grants to increase the availability of civil and criminal legal assistance necessary to provide effective aid to adult and youth victims of domestic violence, dating violence, stalking, or sexual assault who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimal or no cost to the victims. When legal assistance to a dependent is necessary for the safety of a victim, such assistance may be provided. Criminal legal assistance provided for under this section shall be limited to criminal matters relating to or arising out of domestic violence, sexual assault, dating violence, and stalking.

(b) Definitions and grant conditions

In this section, the definitions and grant conditions provided in [section 12291 of this title](#) shall apply.

(c) Legal assistance for victims grants The Attorney General may award grants under this subsection to private nonprofit entities,

Indian tribal governments and tribal organizations, territorial organizations, and publicly funded organizations not acting in a governmental capacity such as law schools, and which shall be used—

(1)

to implement, expand, and establish cooperative efforts and projects between domestic violence, dating violence, and sexual assault victim service providers and legal assistance providers to provide legal assistance for victims of domestic violence, dating violence, stalking, and sexual assault;

(2)

to implement, expand, and establish efforts and projects to provide legal assistance for victims of domestic violence, dating violence, stalking, and sexual assault by organizations with a demonstrated history of providing direct legal or advocacy services on behalf of these victims; and

(3)

to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.

(d) Eligibility To be eligible for a grant under subsection (c), applicants shall certify in writing that—

(1) any person providing legal assistance through a program funded under this section—

(A)

(i)

is a licensed attorney or is working under the direct supervision of a licensed attorney;

(ii)

in immigration proceedings, is a Board of Immigration Appeals accredited representative;

(iii)

in Veterans' Administration claims, is an accredited representative; or

(iv)

is any person who functions as an attorney or lay advocate in Tribal court; and

(B)

(i)

has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

(ii)

(I)

is partnered with an entity or person that has demonstrated expertise described in clause (i); and

(II)

has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;

(2)

any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a tribal, State, territorial, local, or culturally specific domestic violence, dating violence, sexual assault or stalking victim service provider or coalition, as well as appropriate tribal, State, territorial, and local law enforcement officials;

(3)

any person or organization providing legal assistance through a program funded under subsection (c) has informed and will continue to inform State, local, or tribal domestic violence, dating violence, or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work; and

(4)

the grantee's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, stalking, or child sexual abuse is an issue.

(e)Evaluation

The Attorney General may evaluate the grants funded under this section through contracts or other arrangements with entities expert on domestic violence, dating violence, stalking, and sexual assault, and on evaluation research.

(f) Authorization of appropriations

(1) In general

There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2023 through 2027.

(2) Allocation of funds

(A) Tribal programs

Of the amount made available under this subsection in each fiscal year, not less than 3 percent shall be used for grants for programs that assist adult and youth victims of domestic violence, dating violence, stalking, and sexual assault on lands within the jurisdiction of an Indian tribe.

(B) Tribal government program

(i) In general

Not less than 7 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by [section 10452 of this title](#).

(ii) Applicability of part [1](#)

The requirements of this section shall not apply to funds allocated for the program described in clause (i).

(C) Victims of sexual assault

Of the amount made available under this subsection in each fiscal year, not less than 25 percent shall be used for direct services, training, and technical assistance to support projects focused solely or primarily on providing legal assistance to victims of sexual assault.

(3) Nonsupplantation

Amounts made available under this section shall be used to supplement and not supplant other Federal, State, and local funds expended to further the purpose of this section.

([Pub. L. 106–386, div. B, title II, § 1201](#), Oct. 28, 2000, [114 Stat. 1504](#); [Pub. L. 108–405, title II, § 205](#), Oct. 30, 2004, [118 Stat. 2271](#); [Pub. L. 109–162, title I, § 103](#), title IX, § 906(f), formerly § 906(g), Jan. 5, 2006, [119 Stat. 2978](#), 3082, renumbered § 906(f), [Pub. L. 109–271, § 7\(b\)\(2\)\(B\)](#), Aug. 12, 2006, [120 Stat. 764](#); [Pub. L. 109–271, § 7\(d\)\(1\)](#), Aug. 12, 2006, [120 Stat. 765](#); [Pub. L. 113–4, title I, § 103](#), Mar. 7, 2013, [127 Stat. 73](#); [Pub. L. 117–103, div. W, title I, § 103](#), Mar. 15, 2022, [136 Stat. 850](#).)