

## S 718

Civil Access to Justice Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** Mar 26, 2009

**Current Status:** Referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Referred to the Committee on Health, Education, Labor, and Pensions. (Apr 1, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/718>

### Sponsor

**Name:** Sen. Harkin, Tom [D-IA]

**Party:** Democratic • **State:** IA • **Chamber:** Senate

### Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Mar 26, 2009
Sen. Durbin, Richard J. [D-IL]	D · IL		Mar 26, 2009
Sen. Kennedy, Edward M. [D-MA]	D · MA		Mar 26, 2009
Sen. Kerry, John F. [D-MA]	D · MA		Mar 26, 2009
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Mar 26, 2009
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 26, 2009
Sen. McCaskill, Claire [D-MO]	D · MO		Mar 26, 2009
Sen. Merkley, Jeff [D-OR]	D · OR		Mar 26, 2009
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Mar 26, 2009
Sen. Murray, Patty [D-WA]	D · WA		Mar 30, 2009
Sen. Brown, Sherrod [D-OH]	D · OH		Apr 20, 2009
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Apr 21, 2009
Sen. Burris, Roland [D-IL]	D · IL		Apr 30, 2009
Sen. Dodd, Christopher J. [D-CT]	D · CT		May 5, 2009
Sen. Reed, Jack [D-RI]	D · RI		May 12, 2009
Sen. Sanders, Bernard [I-VT]	I · VT		Jun 3, 2009
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jun 4, 2009
Sen. Stabenow, Debbie [D-MI]	D · MI		Jun 4, 2009
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jun 11, 2009
Sen. Bingaman, Jeff [D-NM]	D · NM		Jul 13, 2009
Sen. Nelson, Bill [D-FL]	D · FL		Mar 9, 2010
Sen. Kohl, Herb [D-WI]	D · WI		Apr 19, 2010
Sen. Franken, Al [D-MN]	D · MN		Apr 21, 2010
Sen. Klobuchar, Amy [D-MN]	D · MN		May 5, 2010

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Apr 2, 2009
Judiciary Committee	Senate	Discharged From	Apr 2, 2009

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
111 HR 3764	Related bill	<b>Apr 27, 2010:</b> Committee Hearings Held.

Civil Access to Justice Act of 2009 - Amends the Legal Services Corporation Act to reauthorize the Legal Services Corporation (LSC) at increased levels for FY2010-FY2015.

Requires the LSC Board of Directors to include at least one individual with financial or audit experience.

Eliminates state advisory councils.

Requires the LSC to establish: (1) a protocol for the receipt of donations; (2) an audit committee, a finance committee, and a governance and performance review committee; (3) a continuity of operations plan; and (4) an adequate internal control structure and procedures for financial reporting.

Requires the LSC to promote recruitment and retention of highly qualified staff members for all grantees, contractees, or recipients of financial assistance through the Pilot Loan Repayment Assistance Program or other appropriate programs.

Limits the coverage of prohibited purpose provisions of federal law only to recipient use of funds from the LSC itself. (Thus lifts such restrictions, except those related to abortion litigation, on the use of state and local funds and private donations.)

Permits only class action suits arising under established state or federal statutory or established judicial case law.

Revises eligibility requirements for LSC grantees and funds recipients, extending specific eligibility to those seeking assistance with matters relating to home foreclosure or mortgage default or delinquency.

Requires distribution of LSC funds on the basis of a system of competitive bidding, as well as specific allocations for all geographic areas, Native American communities, and migrant and seasonal farm workers.

Prohibits the use of LSC funds to provide legal assistance with respect to: (1) litigation relating to prison conditions; (2) the defense of an individual in a proceeding to evict him or her from a public housing project in connection with a drug offense; or (3) all but certain aliens.

Authorizes the LSC to allow use of a portion of the funds provided under the grant or contract to acquire and develop information technology to promote full access to high-quality, efficient legal representation and materials for self-representation.

Allows the use of LSC funds to provide legal assistance with respect to any fee-generating case (which is currently prohibited), but only if the recipient's attorney reports on the representation and the amount of fees awarded.

Directs the LSC to require an audit of each recipient in accordance with generally accepted auditing standards.

Amends the Higher Education Act of 1965 to authorize the Secretary of Education to enter into grants or contracts with accredited law schools in the states for the purpose of paying up to 90% of the costs of expanding or establishing clinical experience programs in such schools.

## Actions Timeline

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- **Apr 1, 2009:** Senate Committee on the Judiciary discharged by Unanimous Consent.
- **Apr 1, 2009:** Referred to the Committee on Health, Education, Labor, and Pensions.
- **Mar 26, 2009:** Introduced in Senate
- **Mar 26, 2009:** Sponsor introductory remarks on measure. (CR S3915-3918)
- **Mar 26, 2009:** Read twice and referred to the Committee on the Judiciary.