

Requested by Representative EVANS

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4038**

1 On page 1 of the printed bill, line 15, before the period insert “(9)”.

2 In line 19, delete “initially”.

3 On page 3, after line 7, insert:

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**“VETERANS’ LEGAL SERVICES PROGRAM**

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**“SECTION 6. (1) The Department of Veterans’ Affairs shall establish and implement a pilot Veterans’ Legal Services Program to provide legal defense services without charge to veterans who have been charged with or convicted of a crime or otherwise confined under court order. The department shall adopt rules on or before July 1, 2019, to implement the pilot program and provide standards and guidelines for legal service providers receiving funding from the program. The rules shall also provide methods for evaluating legal service providers.**

**“(2) Funding received under the program may be used only for the provision of legal defense services to veterans and for expenses incurred by the department in the administration of the program.**

**“(3) The department shall appoint a director of the Veterans’ Legal Services Program. The department shall prescribe the duties of the director and fix the salary of the director.**

**“(4) The department may establish any advisory or technical com-**

1 mittees it deems necessary to advise the department in establishing  
2 and operating the program.

3 **“SECTION 7. (1) The director of the Veterans’ Legal Services Pro-**  
4 **gram appointed under section 6 of this 2018 Act shall periodically re-**  
5 **view legal service providers who receive funding from the Veterans’**  
6 **Legal Services Program. If the director determines that there are**  
7 **reasonable grounds to believe that a provider is not in substantial**  
8 **compliance with the standards and guidelines adopted by rule by the**  
9 **Department of Veterans’ Affairs under section 6 of this 2018 Act, the**  
10 **director shall negotiate with the provider in an attempt to bring the**  
11 **provider into compliance.**

12 **“(2) If the director is unable to negotiate satisfactory compliance**  
13 **with the standards and guidelines of the program, the director shall**  
14 **give the provider 30 days in which to bring the provider into compli-**  
15 **ance. If the director concludes that the provider is not in compliance**  
16 **at the end of the 30-day period, the matter shall be submitted to me-**  
17 **diation. The director and the provider shall jointly select a mediator.**  
18 **If the director and provider are unable to select a mediator within 15**  
19 **days after the expiration of the 30-day period, any presiding judge for**  
20 **a judicial district may appoint a mediator upon the petition of the di-**  
21 **rector.**

22 **“(3) If mediation under subsection (2) of this section fails to produce**  
23 **a resolution of the matter, the director shall give the provider notice**  
24 **that a hearing will be held not sooner than 30 days after the date the**  
25 **notice is given. If, after hearing, the director determines that the**  
26 **provider is not in compliance with the standards and guidelines of the**  
27 **program and that the provider has failed to show satisfactory progress**  
28 **toward achieving compliance, the director shall suspend further pay-**  
29 **ments to the provider until such time as the provider makes a showing**  
30 **of compliance.**

1       **“SECTION 8. No later than September 15, 2021, the Department of**  
2 **Veterans’ Affairs shall prepare and submit a report to the standing**  
3 **or interim committees of the Legislative Assembly that have authority**  
4 **over the subject area of veterans’ affairs regarding the implementation**  
5 **and status of the pilot Veterans’ Legal Services Program.**

6       **“SECTION 9. Sections 6 to 8 of this 2018 Act are repealed on June**  
7 **30, 2023.”.**

8       In line 11, delete “6” and insert “10”.

9       In line 17, delete “7” and insert “11”.

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