

HOUSE BILL No. 1236

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6-15.

Synopsis: Legal assistance for servicemembers and veterans. Creates the military legal assistance unit (unit) within the office of the attorney general. Requires the unit to facilitate the delivery of legal assistance programs, pro bono services, and self-help services to current and veteran members of the United States armed forces. Specifies the topics and areas of law with which the unit may provide assistance. Prohibits the unit from providing court representation to servicemembers. Prohibits the unit from providing legal advice or legal assistance to servicemembers being criminally prosecuted in a civilian or military court of law. Allows the attorney general to accept: (1) grants; (2) gifts; (3) donations; (4) bequests; and (5) devises; on behalf of the unit. Requires all funds collected by the unit to be used for the unit's purposes.

Effective: July 1, 2016.

Steuerwald

January 11, 2016, read first time and referred to Committee on Veterans Affairs and Public Safety.



Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-6-15 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2016]:

4 **Chapter 15. Military Legal Assistance Unit**

5 **Sec. 1. As used in this chapter, "servicemember" means an**
6 **active or veteran member of:**

- 7 (1) the United States Air Force;
- 8 (2) the United States Army;
- 9 (3) the United States Coast Guard;
- 10 (4) the United States Marines;
- 11 (5) the United States Navy; or
- 12 (6) a reserve component of the armed forces of the United
- 13 States.

14 **Sec. 2. As used in this chapter, "unit" means the military legal**
15 **assistance unit established under section 3 of this chapter.**

16 **Sec. 3. The attorney general shall establish the military legal**
17 **assistance unit to facilitate the delivery of legal assistance**



1 programs, pro bono services, and self-help services to Indiana
2 servicemembers.

3 **Sec. 4. The unit shall:**

- 4 (1) create and maintain a registry of volunteer attorneys and
5 service programs willing to perform pro bono services for
6 servicemembers;
7 (2) recruit volunteer attorneys and service programs for
8 addition to the registry described in subdivision (1);
9 (3) assess and assign servicemember requests for pro bono
10 service to attorneys and service programs registered with the
11 unit; and
12 (4) coordinate with legal assistance offices on military
13 installations in order to match servicemember requests for
14 pro bono assistance with military counsel as required.

15 The unit may adopt rules under IC 4-22-2 necessary for the
16 administration of this section.

17 **Sec. 5. (a) The unit shall address the legal needs of**
18 **servicemembers in the following areas:**

- 19 (1) Consumer law.
20 (2) Issues pertaining to:
21 (A) the Servicemembers Civil Relief Act (IC 10-16-20); or
22 (B) the federal Servicemembers Civil Relief Act (50 U.S.C.
23 App. 501 et seq.).
24 (3) Issues pertaining to the federal Uniformed Services
25 Employment and Reemployment Rights Act (38 U.S.C. 4301
26 et seq.).
27 (4) Civil liability.
28 (5) Probate law.
29 (6) Contract law.
30 (7) Administrative law.
31 (8) Family law issues that do not create inequity among family
32 members.

33 (b) The unit shall not provide court representation to
34 servicemembers.

35 (c) The unit shall not provide legal assistance or legal advice to
36 servicemembers being criminally prosecuted in a civilian or
37 military court of law.

38 **Sec. 6. (a) The attorney general may apply for and accept:**

- 39 (1) grants;
40 (2) gifts;
41 (3) donations;
42 (4) bequests; and



1 **(5) devises;**
2 **on behalf of the unit.**
3 **(b) All proceeds accepted by the attorney general on behalf of**
4 **the unit shall be used in furtherance of the purposes described**
5 **under section 4 of this chapter.**

