STATE OF NEW YORK

5404

2021-2022 Regular Sessions

IN SENATE

March 4, 2021

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the military law and the state finance law, in relation to legal assistance for military families

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The military law is amended by adding a new section 15-a to read as follows:

§ 15-a. Legal assistance for military families. 1. The attorney general shall, in consultation with the adjutant general and the chairman of the board of trustees of the New York interest on lawyer account fund, establish a military pro bono program to provide legal assistance without charge to those in active military service of the United States and those military personnel who have been deployed for active duty other than training, and their family members domiciled or stationed in the state.

2. The assistance provided by such program shall include, but not be limited to: (a) civil law; (b) family law; (c) estate planning; (d) employment law; (e) immigration law; (f) debtor-creditor law; and (g) military administrative law.

3. The attorney general and the adjutant general may apply for and receive grants, gifts, donations, bequests, or other contributions to support the military pro bono program and shall deposit such funds in the New York interest on lawyer account fund, to be used exclusively for legal assistance for military families pursuant to paragraph c of subdivision three of section ninety-seven-v of the state finance law.

4. The adjutant general shall establish a military family legal assistance advisory committee to include, among others, representatives from each of the legal assistance offices on military installations in the state, the New York state bar association's committee on veterans,

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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the division of veterans' services, the office of court administration, veterans service organizations, military support organizations, and organizations involved in coordinating, supporting and delivering civil legal aid and pro bono legal services in New York state. The committee shall be co-chaired by the state judge advocate or his or her assistants, and the chairman of the board of trustees of the New York interest on lawyer account fund, or his or her designee, and shall provide advice and assistance to the attorney general regarding program design, operation, volunteer recruitment, support strategies, service delivery objectives and priorities, and funding for the military pro bono program.

5. The attorney general may promulgate rules and regulations necessary to effectuate the purposes of this section.

§ 2. Paragraph c of subdivision 3 of section 97-v of the state finance law, as added by chapter 659 of the laws of 1983, is amended to read as follows:

c. The remaining funds shall be allocated for purposes related to the improvement of the administration of justice, including, but not limited to, **legal assistance for military families pursuant to a military pro bono program established under section fifteen-a of the military law,** the provision of civil legal services to groups currently underserved by legal services, such as the elderly and the disabled, and the enhancement of civil legal services to the poor through innovative and cost-effective means, such as volunteer lawyer programs and support and training services.

§ 3. This act shall take effect immediately.