



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0982/1
EAW:kjf

2017 BILL

1 **AN ACT** *to create* 16.317, 46.40 (2m) (c), 49.823, 103.005 (22) and 165.257 of the
2 statutes; **relating to:** the authority of the departments of administration,
3 children and families, workforce development, justice, and health services to
4 allocate federal grant money for civil legal aid.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Access to Civil Legal Services.

The federal government awards block grants in support of broadly defined programs. Usually, these grants are made to states, which then have broad discretion to choose how to spend the money within the eligibility and purpose requirements established by the federal government. Certain federal grants may be used for the provision of civil legal services for various populations or purposes.

The bill establishes a legislative recognition that the difficulty low-income, indigent, vulnerable, and at-risk populations face in fulfilling basic human needs may be caused or compounded by lack of access to civil legal services and that providing these

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populations with free or reduced-fee civil legal services to fulfill these needs can be an effective way to eliminate or reduce the dependence of members of these populations on public assistance or other government programs. The bill encourages the departments of administration, health services, children and families, workforce development, and justice to allocate, to the extent authorized by federal law, any federal block grant money they administer and that is intended to benefit low-income, indigent, vulnerable, or at-risk populations for the purpose for providing civil legal aid to qualified individuals.

1 **SECTION 1.** 16.317 of the statutes is created to read:

2 **16.317 Funding for civil legal aid. (1)** The legislature recognizes that the
3 difficulty that low-income, indigent, vulnerable, and at-risk populations face in
4 fulfilling basic human needs, including food, shelter, clothing, heat, medical care,
5 safety, child custody, and employment may be caused or compounded by lack of access
6 to civil legal services. The legislature further recognizes that providing these
7 populations with free or reduced-fee civil legal services to fulfill these needs can be
8 an effective way to eliminate or reduce the dependency of members of these
9 populations on public assistance or other government programs.

10 **(2)** To the extent authorized by federal law, the department is encouraged to
11 allocate federal block grant money that it administers and that is intended to benefit
12 low-income, indigent, vulnerable, or at-risk populations for the purpose of providing
13 civil legal aid to qualified individuals.

14 **SECTION 2.** 46.40 (2m) (c) of the statutes is created to read:

15 **46.40 (2m) (c) Allocations for civil legal aid. 1.** The legislature recognizes that
16 the difficulty that low-income, indigent, vulnerable, and at-risk populations face in
17 fulfilling basic human needs, including food, shelter, clothing, heat, medical care,
18 safety, child custody, and employment may be caused or compounded by lack of access
19 to civil legal services. The legislature further recognizes that providing these
20 populations with free or reduced-fee civil legal services to fulfill these needs can be

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1 an effective way to eliminate or reduce the dependency of members of these
2 populations on public assistance or other government programs.

3 2. To the extent authorized by federal law, the department is encouraged to
4 allocate federal block grant money that it administers and that is intended to benefit
5 low-income, indigent, vulnerable, or at-risk populations for the purpose of providing
6 civil legal aid to qualified individuals.

7 **SECTION 3.** 49.823 of the statutes is created to read:

8 **49.823 Funding for civil legal aid. (1)** The legislature recognizes that the
9 difficulty that low-income, indigent, vulnerable, and at-risk populations face in
10 fulfilling basic human needs, including food, shelter, clothing, heat, medical care,
11 safety, child custody, and employment may be caused or compounded by lack of access
12 to civil legal services. The legislature further recognizes that providing these
13 populations with free or reduced-fee civil legal services to fulfill these needs can be
14 an effective way to eliminate or reduce the dependency of members of these
15 populations on public assistance or other government programs.

16 **(2)** To the extent authorized by federal law, the department of health services
17 and the department of children and families is encouraged to allocate federal block
18 grant money that it administers and that is intended to benefit low-income,
19 indigent, vulnerable, or at-risk populations for the purpose of providing civil legal
20 aid to qualified individuals.

21 **SECTION 4.** 103.005 (22) of the statutes is created to read:

22 103.005 **(22)** (a) The legislature recognizes that the difficulty that low-income,
23 indigent, vulnerable, and at-risk populations face in fulfilling basic human needs,
24 including food, shelter, clothing, heat, medical care, safety, child custody, and
25 employment may be caused or compounded by lack of access to civil legal services.

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1 The legislature further recognizes that providing these populations with free or
2 reduced-fee civil legal services to fulfill these needs can be an effective way to
3 eliminate or reduce the dependency of members of these populations on public
4 assistance or other government programs.

5 (b) To the extent authorized by federal law, the department is encouraged to
6 allocate federal block grant money that it administers and that is intended to benefit
7 low-income, indigent, vulnerable, or at-risk populations for the purpose of providing
8 civil legal aid to qualified individuals.

9 **SECTION 5.** 165.257 of the statutes is created to read:

10 **165.257 Allocations for civil legal aid.** (1) The legislature recognizes that
11 the difficulty that low-income, indigent, vulnerable, and at-risk populations face in
12 fulfilling basic human needs, including food, shelter, clothing, heat, medical care,
13 safety, child custody, and employment may be caused or compounded by lack of access
14 to civil legal services. The legislature further recognizes that providing these
15 populations with free or reduced-fee civil legal services to fulfill these needs can be
16 an effective way to eliminate or reduce the dependency of members of these
17 populations on public assistance or other government programs.

18 (2) To the extent authorized by federal law, the department of justice is
19 encouraged to allocate federal block grant money that it administers and that is
20 intended to benefit low-income, indigent, vulnerable, or at-risk populations for the
21 purpose of providing civil legal aid to qualified individuals.

22 (END)