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RADAR ANALYSIS:

THE DV VOLUNTEER ATTORNEY ACT – A \$55 MILLION EARMARK FOR LAWYERS

This May, bill HR 6088, known as the "National Domestic Violence Volunteer Attorney Network Act," was introduced in the House of Representatives. Senator Joseph Biden has introduced the same bill in the Senate as S 1515. A large part of the funding under HR 6088 would go directly to the American Bar Association's Commission on Domestic Violence (ABA-CODV).

The ABA-CODV's beliefs are laid out in their publication *10 Myths about Custody and Domestic Violence and How to Counter Them*. A recent RADAR analysis of this document found it so larded with falsehoods that, of its 19 claims, only 2 are actually true.^{1,2} The overriding theme of their publication is the presumption of guilt of the accused. Promoting the presumption of guilt in the context of DV will have the effect of enriching the ABA's members at the expense of the innocent.

At first glance, it would appear that, of the total \$55 million Congress would authorize under HR 6088, only \$14 million is under the control of the ABA-CODV. However closer examination reveals that the entire \$55 million goes to one of the following:

- 1) the ABA Commission on Domestic Violence,
- 2) organizations that the ABA Commission on Domestic Violence will create,
- 3) organizations that the bill requires to collaborate with the ABA Commission on Domestic Violence

The specific allocations are as follows:

- \$14.00 million³ - to the ABA-CODV to create a National Domestic Violence Volunteer Attorney Network (NDVVAN)
- \$ 32.75 million⁴ - Dept. of Justice's Office on Violence Against Women (OVW) and the Domestic Violence Legal Advisory Task Force (DVLATF) to set up programs in each state. The DVLATF and the statewide coordinators are required to collaborate with the ABA-CODV.
- \$ 4.00 million⁵ - NDVVAN and others. The NDVVAN is to be created by the ABA-CODV.
- \$ 3.75 million⁶ - National Domestic Violence Hotline (NDVH) and Internet-based organizations. The NDVH and the Internet-based organizations are required to collaborate with the ABA-CODV on the use of these funds.

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- \$ 0.50 million⁷ - Domestic Violence Legal Advisory Task Force (DVLATF). The DVLATF is required to collaborate with the ABA-CODV, provide feedback, and attend the ABA-CODV's meetings.

It should also be noted that HR 6088 states, "Any award made to the American Bar Association's Commission on Domestic Violence under this section shall be subject to the Office on Violence Against Women's standard grant award conditions and reporting requirements."⁸ The OVW's accountability measures have repeatedly been criticized over many years by three different government agencies: the Government Accountability Office (GAO), the Office of Management and Budget (OMB), and the Office of the Inspector General (OIG). The OIG concluded that the OVW does "not conform to federal regulations and their own policies." Yet each subsequent evaluation shows that the OVW has failed to correct the problems.⁹

Thus, the OVW's history renders the requirement that the ABA-CODV comply with standard grant award conditions and reporting requirements meaningless.

¹ RADAR Special Report: Myths of the ABA Commission on Domestic Violence: Summary Report, <http://www.mediadar.org/docs/RADARreport-Myths-of-ABA-Commission-on-DV-Summary.pdf>

² RADAR Special Report: Myths of the ABA Commission on Domestic Violence: Detailed Findings, <http://www.mediadar.org/docs/RADARreport-Myths-of-ABA-Commission-on-DV-Detailed.pdf>

³ HR 6088. SEC. 41701

⁴ HR 6088. SEC. 41702

⁵ HR 6088. SEC. 41703

⁶ HR 6088. SEC. 41704

⁷ HR 6088. SEC. 41706

⁸ HR 6088. SEC. 41701

⁹ RADAR Special Report: \$1 Billion for DV Programs That Misuse Taxpayer Money and Place Victims at Risk, <http://www.mediadar.org/docs/RADARreport-DV-Programs-Misuse-1-Billion-Tax-Dollars-Per-Year.pdf>