

H.R. ___, the “Office for Access to Justice Establishment Act of 2021”
(117th Congress)
Section-by-Section

Sec. 1. Short Title. This section establishes the bill’s short title as the “Office for Access to Justice Establishment Act of 2021.”

Sec. 2. Definitions. Defines “Department” as the Department of Justice, “Director” as Director of the Office for Access to Justice, and “Office” as the Office for Access to Justice.

Sec. 3. Office Establishment. Section 3 of the bill would establish the Office for Access to Justice within the Department of Justice (DOJ) to be headed by a Director who is appointed by the Attorney General.

Personnel and Funds. Subsection (b) would require the Attorney General to provide all personnel and funds necessary to establish and operate the Office.

Sec. 4. Duties. Section 4 of the Act outlines the duties of the Director of the Office for Access to Justice. The Director would provide legal and policy advice to the Attorney General to ensure access to justice for under-represented groups in the civil and criminal justice systems, serve as the principle legal advisor for the DOJ on rights guaranteed by the Sixth Amendment to the Constitution, and serve as a liaison between the Department and indigent defense and legal aid organizations. The Director would also serve as the Executive Director of the Legal Aid Interagency Roundtable and coordinate with other divisions of DOJ to ensure each is considering issues of access to justice including on grant, enforcement, and funding decisions. Additionally, the Director would consult with the Secretary of State and serve as the authority on access to justice before international and multilateral organizations.

Sec. 5. Prohibition Against Participation in Settlement Negotiations. Section 5 prohibits the Office for Access to Justice from participating in civil or criminal settlement negotiations involving or on behalf of the Department of Justice.

Sec. 6. Legal Aid Interagency Roundtable. Section 6 of the bill would require the establishment of the Legal Aid Interagency Roundtable. Headed by an Executive Director, the Roundtable would advocate for civil legal aid and indigent defense as a method of advancing executive agency objectives. The Roundtable would be comprised of representatives of executive branch departments identified by the Executive Director, with the consent of the Attorney General, and shall convene no less than semi-annually.

Duties. Subsection (b) outlines the duties of the Legal Aid Interagency Roundtable. The Roundtable would improve coordination and promote Federal programs that support vulnerable populations, develop a list of federally funded programs and resources that incorporate or may incorporate civil legal aid and indigent defense, and develop recommendations for Federally funded programs and policies that improve access to justice. The Roundtable would also facilitate non-governmental partnerships to promote access to civil legal aid and indigent defense, advance evidence-based research to promote access to civil legal aid and promote the provision of

civil legal aid to servicemembers, servicemember's families, and veterans. The Roundtable must report its activities to the President yearly, to include policy recommendations that improve access to civil and criminal justice in the United States.

Appointment of Representatives. Subsection (c) would require the head of each participating department to designate a senior Federal official to serve as their representative to the Roundtable.