

117TH CONGRESS  
1ST SESSION

# H. R. 4501

To provide for the establishment of the Office for Access to Justice in the Department of Justice, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2021

Mr. NADLER (for himself, Mr. UPTON, Ms. JACKSON LEE, Mr. FITZPATRICK, Ms. SCANLON, and Mr. BACON) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide for the establishment of the Office for Access to Justice in the Department of Justice, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-  
2 tives of the United States of America in Congress assembled,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Office for Access to  
5 Justice Establishment Act of 2021”.

**6 SEC. 2. DEFINITIONS.**

7       In this Act:

8           (1) DEPARTMENT.—The term “Department”  
9 means the Department of Justice.

1                             (2) DIRECTOR.—The term “Director” means  
2                             the Director of the Office.

3                             (3) OFFICE.—The term “Office” means the Of-  
4                             fice for Access to Justice established under section  
5                             3.

6 **SEC. 3. OFFICE ESTABLISHMENT.**

7                             (a) IN GENERAL.—There is established within the  
8                             Department the Office for Access to Justice, which shall  
9                             be headed by a Director, who shall be appointed by the  
10                             Attorney General.

11                             (b) PERSONNEL AND FUNDS.—The Attorney General  
12                             shall provide to the Office such personnel and funds as  
13                             are necessary to establish and operate the Office as a com-  
14                             ponent of the Department.

15 **SEC. 4. DUTIES.**

16                             The Director shall—

17                             (1) serve as the legal and policy advisor to the  
18                             Attorney General to ensure access to justice for low-  
19                             income and other underrepresented people in the  
20                             criminal and civil justice systems;

21                             (2) serve as the principal legal advisor for the  
22                             Department on the constitutional right to counsel  
23                             and the other rights guaranteed under the Sixth  
24                             Amendment to the Constitution of the United  
25                             States;

- 1                         (3) serve as the Executive Director of the Legal  
2                         Aid Interagency Roundtable in accordance with sec-  
3                         tion 6;
- 4                         (4) serve as the liaison and point of contact be-  
5                         tween the Department and indigent defense and civil  
6                         legal aid organizations, including Federal public de-  
7                         fender organizations, and conduct, along with the  
8                         Office of the Attorney General, the Office of the  
9                         Deputy Attorney General, and the Office of the As-  
10                         sociate Attorney General, semi-annual meetings with  
11                         representatives of these organizations to receive  
12                         input and recommendations on how to improve ac-  
13                         cess to justice and fulfillment of the right to counsel;
- 14                         (5) coordinate with other components and divi-  
15                         sions within the Department to ensure each is con-  
16                         sidering access to justice and right to counsel in pol-  
17                         icy, enforcement, and funding decisions;
- 18                         (6) consult with Department grantmaking com-  
19                         ponents to ensure funding decisions take into ac-  
20                         count access to justice; and
- 21                         (7) consult with the Secretary of State and  
22                         serve as the central authority of the executive  
23                         branch on access to justice before international and  
24                         multilateral organizations.

1   **SEC. 5. PROHIBITION AGAINST PARTICIPATION IN SETTLE-**  
2                         **MENT NEGOTIATIONS.**

3             The Office may not advise or participate in civil or  
4     criminal settlement negotiations involving or on behalf of  
5     the Department.

6   **SEC. 6. LEGAL AID INTERAGENCY ROUNDTABLE.**

7             (a) PURPOSE; COMPOSITION.—

8                 (1) IN GENERAL.—Not later than 180 days  
9     after the date of enactment of this Act, the Attorney  
10   General shall establish a Legal Aid Interagency  
11   Roundtable, which shall be headed by an Executive  
12   Director, to raise the awareness of executive branch  
13   agencies of the ways in which civil legal aid and indi-  
14   gent defense can help advance a wide range of Fed-  
15   eral objectives, including employment, family sta-  
16   bility, housing, consumer protection, health services,  
17   and public safety.

18                 (2) COMPOSITION.—The Legal Aid Interagency  
19   Roundtable as established under paragraph (1) shall  
20   be composed of representatives of executive branch  
21   department offices identified by the Executive Direc-  
22   tor of the Legal Aid Roundtable with the consent of  
23   the Attorney General.

24                 (3) REQUIREMENT.—The Executive Director of  
25   the Legal Aid Interagency Roundtable shall convene

1       the Legal Aid Interagency Roundtable not less fre-  
2       quently than semi-annually.

3           (b) DUTIES.—The Legal Aid Interagency Roundtable  
4       shall—

5                  (1) improve coordination among Federal pro-  
6       grams that help the vulnerable and underserved so  
7       that such programs are more efficient and produce  
8       better outcomes by including, where appropriate,  
9       legal services among the range of supportive services  
10      provided;

11                  (2) develop a list of federally funded programs  
12       and resources that incorporate or may incorporate  
13       civil legal aid and indigent defense;

14                  (3) develop policy recommendations that im-  
15       prove access to justice in Federal, State, local, and  
16       Tribal jurisdictions;

17                  (4) facilitate non-governmental partnerships to  
18       promote access to civil legal aid and indigent defense  
19       and further law enforcement and civil rights objec-  
20       tives;

21                  (5) advance evidence-based research, data col-  
22       lection, and analysis on civil legal aid and indigent  
23       defense, including the potential of technology innova-  
24       tions and non-traditional legal professionals to im-  
25       prove access to justice;

1                         (6) promote the provision of civil legal aid to  
2                         servicemembers, servicemember families, and veterans; and  
3

4                         (7) report on the activities of the Legal Aid  
5                         Interagency Roundtable to the President on an annual basis, including policy recommendations to improve access to civil and criminal justice in the  
6                         United States.

7                         (c) APPOINTMENT OF REPRESENTATIVES.—The  
8                         head of each executive branch department and each participating executive agency and office shall designate a  
9                         senior Federal official who shall serve as their representative on the Legal Aid Interagency Roundtable.

