

# LEGAL ASSISTANCE CERTIFICATION

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## LEGAL ASSISTANCE DEFINED

assistance provided by or under the direct supervision of a person described in subparagraph (B) to an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking relating to a matter described in subparagraph (C).

## (B) PERSON DESCRIBED



- a licensed attorney
- in immigration proceedings, a Board of Immigration Appeals accredited representative
- in claims of the Department of Veterans Affairs, a representative authorized by the Secretary of Veterans Affairs
- any person who functions as an attorney or lay advocate in Tribal court

## (C) MATTER DESCRIBED

- (i) divorce, parental rights, child support, Tribal, territorial, immigration, employment, administrative agency, housing, campus, education, healthcare, privacy, contract, consumer, civil rights, protection or other injunctive proceedings, related enforcement proceedings, and other similar matters;
- (ii) criminal justice investigations, prosecutions, and post-conviction matters (including sentencing, parole, and probation) that impact the victim's safety, privacy, or other interests as a victim;
- (iii) alternative dispute resolution, restorative practices, or other processes intended to promote victim safety, privacy, and autonomy, and offender accountability, regardless of court involvement; or
- (iv) with respect to a conviction of a victim relating to or arising from victimization of the victim, post-conviction relief proceedings in State, local, Tribal, or territorial court.

**(D) INTAKE OR  
REFERRAL**

**Does not constitute legal  
assistance**

## (I)(A)- WHO PROVIDES THE LEGAL ASSISTANCE



- a licensed attorney
- working under the direct supervision of a licensed attorney
- in immigration proceedings, a Board of Immigration Appeals accredited representative
- in Veterans' Administration claims, an accredited representative
- any person who functions as an attorney or lay advocate in Tribal court

(I)(B) WHAT  
EXPERTISE OR  
TRAINING  
DOES THE  
PERSON  
PROVIDING  
THE LEGAL  
ASSISTANCE  
NEED TO  
HAVE?

- demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; **or**
- partnered with an entity or person that has demonstrated expertise described above **and**
  - has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide



## WHO NEEDS TO BE INVOLVED IN THE TRAINING?

- (2) Any training program conducted in satisfaction of the requirement of paragraph (1) must be developed with input from and in collaboration with **a tribal, state, territorial, local, or culturally specific domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, as well as appropriate tribal, state, territorial, and local law enforcement officials**



WHO NEEDS TO  
BE INFORMED  
ABOUT THE  
LEGAL  
ASSISTANCE  
UNDER THE  
GRANT?

- (3) Any person or organization providing legal assistance through an OVW grant must inform **state, local, or tribal domestic violence, dating violence, or sexual assault programs and coalitions, as well as appropriate state and local law enforcement officials of their work.**

A hand holding a piece of white chalk is shown writing the word "MEDIATION" in all caps on a dark green chalkboard. The word is underlined with a single horizontal line. The entire scene is framed by a thick black border.

MEDIATION

(4) THE APPLICANT'S ORGANIZATIONAL **POLICIES DO NOT REQUIRE** MEDIATION OR COUNSELING INVOLVING OFFENDERS AND VICTIMS **PHYSICALLY TOGETHER**, IN CASES WHERE SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, STALKING, OR CHILD SEXUAL ABUSE IS AN ISSUE.

# QUESTIONS?

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- Contact your grant manager or [marnie.shiels@usdoj.gov](mailto:marnie.shiels@usdoj.gov)