

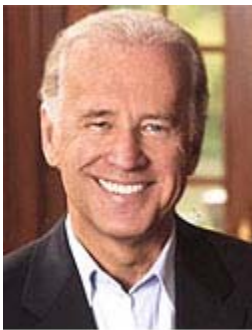


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Biden Wants Legal Brigade for Domestic Safety

By Allison Stevens, Washington Bureau Chief

Senator Biden is drafting a bill to encourage lawyers to work on behalf of domestic violence victims. The bill would also create a network of 100,000 legal volunteers. Seventh in our "Dangerous Trends, Innovative Responses" eight-part series.



Sen. Joseph Biden

Washington – When it comes to domestic violence, Sen. Joseph Biden likes to compare the federal government to a lawnmower.

“Combating violence in the home is like cutting the grass,” the Democrat from Delaware is fond of saying. “You can’t just do it once.”

In other words, the scourge of domestic violence can’t be cured with one piece of legislation or one round of federal spending, he says. It’s a persistent problem that needs to be addressed year after year, one congressional session after the next.

That is why Biden – author of the 1994 Violence Against Women Act, which created and funded federal programs to help victims of domestic violence – keeps thinking about new ways to reduce violence against women. And now with his party in power in the House and Senate, he is in position to find more support.

His current plan involves legal assistance.

Only 170,000 low-income domestic violence survivors have legal representation each year, less than 20 percent of at least 1 million victims who experience it annually, according to a 2005 report by the Institute for Law and Justice in Alexandria, Va., and the National Center for Victims and Crime in Washington, D.C.

Creating a Legal Network

To address this need, Biden, an attorney, has written a bill that would create an electronic network of 100,000 lawyers willing to do volunteer work on behalf of victims of domestic violence. The bill would also set up a fund to help a separate group of

lawyers – those who spend a majority of their time working on behalf of domestic violence victims – pay back their school loans.

The median salary for a lawyer who joins a private firm is \$85,000, while the average entry-level public sector salary – such as a lawyer who works at a legal aid clinic – is \$35,000, according to Biden. Most lawyers graduate with a combined debt from undergraduate and graduate school of more than \$80,000, according to the American Bar Association in Chicago.

Biden’s proposal comes at a time when the amount of domestic violence in the United States is dropping, although assaults and other crimes at the hands of intimates has remained at about 10 percent of all violent crimes over the past decade.

A report released last month by the Department of Justice indicated that the rate of intimate partner violence in the United States fell by more than half between 1993 and 2004, a finding that paralleled an overall decrease in violent crime during the same period. The rate of homicides, rapes, assaults and robberies against women fell from 10 in 1,000 to 4 in 1,000, according to the report.

The report is a sign of success that the VAWA programs are working, said Allison Randall, public policy director at the National Network to End Domestic Violence in Washington, D.C.

Economists Studied Earlier Drop

In 2002, in an analysis of a decline in domestic violence during the 1990s, economists at Colgate and the University of Arkansas concluded that the availability of legal services, improvement in women’s economic status and higher levels of education explained why women’s risks of being battered had dropped. An aging population was also cited, because older women are significantly less vulnerable to this kind of abuse.

Economists Amy Farmer of the University of Arkansas and Jill Tiefenthaler argue that although shelters, hotlines and counseling services provide critical crisis-intervention services, they do not give women the ability to permanently leave their abusers. Legal assistance gives victims the tools – such as protective orders, child support and public assistance – to achieve financial independence and freedom from harm.

Under Biden’s bill, lawyers who devote more than half of their full-time caseload to low-income domestic violence survivors for more than two consecutive years will get a 20 percent discount on their student loan bill, paid for by the Department of Justice. Lawyers who serve four and five years in their practice will get a 30 percent break.

“There is a wealth of untapped resources in this country, lawyers who want to volunteer,” Biden says in a one-page written summary of the bill that goes on to say that law-school graduates are saddled with tremendous debt that can become unmanageable in lower-paying fields of law.

Biden is also working on legislation to combat violence against women at an international level. Called I-VAWA, for International Violence Against Women Act, the bill would, for the first time, commit the United States to ending violence against women around the globe.

The measure is expected to involve remedies in the areas of public health, the global economy, foreign law, international conflicts and humanitarian crises, according to Esta Soler, president of the Family Violence Prevention Fund in San Francisco.

She said in a statement that the bill - based on the premise that financial independence helps protect women from domestic violence - will include provisions to promote more equitable property rights, teach women how to build credit, improve women's access to education and job training programs, provide training and sensitization programs for judges and judicial officials, raise awareness of gender violence in the workplace, increase women's access to reproductive health services and incorporate domestic violence and sexual assault screening into HIV/AIDS programs.

Follows 2005 WHO Report

The legislation follows a 2005 study by the World Health Organization that found that domestic violence is common worldwide and its effects devastating.

The WHO report indicated that between one-fifth and three-quarters of females around the world had experienced physical or sexual violence since age 15. As a result, women are more vulnerable to exposure to HIV/AIDS and are subject to greater health risks during pregnancy, when violence often continues or escalates.

“This report reveals a global picture of the treatment of women and the statistics are appalling and egregious,” Biden said last year in response to the WHO report. “In some communities, women are safer in the streets than they are in their own homes.”

Biden, the chief anti-violence advocate in the Senate and a contender for his party's 2008 presidential nomination, now holds a seat in the majority party and, as a result, has greater sway in Congress. Even so, prospects are uncertain for the two bills, which he plans to introduce this spring.

Some advocates fear objections to the price tags of the two bills, especially as lawmakers are tightening the fiscal reins in response to a high federal deficit and the prospect of increased spending on the war in Iraq.

“The deficit is a problem,” said a nationally recognized leader in the domestic violence advocacy community on the condition of anonymity. “The content is not the barrier. But any bill that requires new funding streams is going to have a hard time of it.”

The Congressional Budget Office has not estimated the total cost of the lawyer bill, but a Biden staff member expected the loan forgiveness portion of the bill to be about \$20 million in the first year. An additional \$8 million would be needed to recruit volunteer

lawyers, operate a referral system, launch a pilot program and roll out a national program.

The international bill to combat domestic violence could be trickier than the domestic legal services legislation because lawmakers are generally more reluctant to spend federal money on foreign programs than on domestic ones. The bill does not yet have a formal cost estimate.

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http://www.truthout.org/issues_06/011107WA.shtml

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