

1 **CONCURRENT RESOLUTION RECOGNIZING THE**
2 **MILITARY AND VETERAN LEGAL ASSISTANCE PROGRAM**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Val L. Peterson**

6 Senate Sponsor: Peter C. Knudson

8 **LONG TITLE**

9 **General Description:**

10 This bill recognizes the pro bono legal assistance offered by the Office of Military and
11 Veteran Legal Assistance.

12 **Highlighted Provisions:**

13 This resolution:

14 ▶ recognizes the Office of Military and Veteran Legal Assistance for offering pro
15 bono legal assistance and representation to Veterans and to Active Duty, Reserve,
16 and National Guard Servicemembers.

17 **Special Clauses:**

18 None

20 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

21 WHEREAS, throughout their service Veterans and Military Servicemembers have
22 sacrificed for their families, communities, and nation to fulfill their duty to protect the United
23 States and to fight for freedom and justice;

24 WHEREAS, it is this country's duty to protect our Veterans and Military
25 Servicemembers, promote their well-being, and ensure justice for them and their families;

26 WHEREAS, Veterans and Military Servicemembers are strengthened and supported by
27 their families;



28 WHEREAS, these families and their military sponsors bring a need for support and
29 service in a wide variety of areas including legal assistance;

30 WHEREAS, for example, Veterans and Military Servicemembers who have been
31 deployed to protect their nation have concerns about who would come to the aid of the families
32 they leave behind if a problem or crisis occurs in their absence;

33 WHEREAS, none of the military services have sufficient resources to fully provide this
34 aid;

35 WHEREAS, Veterans and Military Servicemembers and their families have access to
36 military legal assistance attorneys to receive advice and assistance, but they must generally
37 obtain their own counsel to represent them in court;

38 WHEREAS, coordinating pro bono legal programs to connect qualified attorneys with
39 Veterans and Military Servicemembers and their families would provide a welcome legal
40 recourse for those defending their nation;

41 WHEREAS, the Military and Veteran Legal Assistance Program is led by the Utah
42 Office of the Attorney General in conjunction with the Utah Department of Veterans and
43 Military Affairs;

44 WHEREAS, the Office of Military and Veteran Legal Assistance (OMVLA) is a
45 public-private partnership offering pro bono legal assistance and representation to Veterans and
46 Active Duty, Reserve, and National Guard Servicemembers in a variety of civil law matters;

47 WHEREAS, members of the Utah State Bar have expressed a willingness and desire to
48 provide these services on a pro bono basis;

49 WHEREAS, OMVLA pairs Veterans and Military Servicemembers in need of legal
50 assistance with local pro bono private legal counsel for civil matters;

51 WHEREAS, Veterans, Military Servicemembers, and their families need legal
52 assistance in various matters, including consumer fraud, military rights, immigration,
53 landlord/tenant, predatory lending, creditor/debtor, employment and re-employment, and wills
54 and power of attorneys;

55 WHEREAS, assistance through OMVLA is by referral only;

56 WHEREAS, Servicemembers access these services by contacting their local Judge
57 Advocate General Office, and Veterans contact their local Veterans Service Officers through
58 the Utah Department of Veterans and Military Affairs;

59 WHEREAS, after necessary paperwork is completed, OMVLA staff considers several
60 factors in determining qualification for the program including verification of Active Duty,
61 Reserve, or National Guard military status;

62 WHEREAS, for Veterans, qualification includes verification that they have received
63 honorable or general discharges;

64 WHEREAS, OMVLA staff must also consider whether the person has a legal issue that
65 is covered under the program;

66 WHEREAS, upon verification of qualifications, applicants are referred to a private pro
67 bono attorney;

68 WHEREAS, the attorney is a volunteer and will represent without charge unless
69 awarded attorney fees from the opposing party;

70 WHEREAS, the attorney assigned to a case is not employed by or otherwise associated
71 with the Utah Office of the Attorney General, other than volunteering to assist with the legal
72 problem without charge; and

73 WHEREAS, services provided by the OMVLA can lend invaluable assistance to
74 Veterans and Military Servicemembers:

75 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
76 Governor concurring therein, recognizes the Office of Military and Veteran Legal Assistance
77 for offering pro bono legal assistance and representation to Veterans and to Active Duty,
78 Reserve, and National Guard Servicemembers.

79 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Office of
80 Military and Veteran Legal Assistance, the Utah Office of the Attorney General, and the Utah
81 Department of Veterans and Military Affairs.

Legislative Review Note
Office of Legislative Research and General Counsel