

SENATE BILL NO. 798

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice

on _____)

(Patron Prior to Substitute—Senator Mulchi)

A BILL to direct the Judicial Council of Virginia to convene a work group to address legal deserts within the Commonwealth; report.

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Judicial Council of Virginia shall convene a work group of relevant stakeholders to make recommendations for legislative solutions to address the disparities in the geographical distribution of available legal services, known as legal deserts, within the Commonwealth.*

The work group shall be composed of (i) two members of the House of Delegates appointed by the Speaker of the House of Delegates; (ii) two members of the Senate appointed by the Senate Committee on Rules; (iii) the Attorney General, or his designee; (iv) the Executive Secretary of the Supreme Court of Virginia, or his designee; (v) the Commissioner of the Virginia Department of Workforce Development and Advancement, or his designee; (vi) two attorneys for the Commonwealth representing the Virginia Association of Commonwealth's Attorneys; (vii) the Executive Director of the Virginia Indigent Defense Commission, or his designee; (viii) the President of the Virginia State Bar, or his designee; (ix) one representative of a law school of a public institution of higher education; (x) one representative of a law school of a nonprofit private institution of higher education; (xi) a representative of a legal aid society; (xii) one nonlegislative citizen member appointed by the Speaker of the House of Delegates; and (xiii) one nonlegislative citizen member appointed by the Senate Committee on Rules. Each nonlegislative citizen member shall be a public defender, retired attorney, retired judge, or attorney who is an active member of the Virginia State Bar and is currently engaged in the private practice of law in the Commonwealth.

The work group shall create a definition of "legal desert" and shall make recommendations for enhancing access to justice, legal advice and guidance, and constitutionally guaranteed legal representation for citizens of the Commonwealth. The work group shall submit a report of its findings and recommendations to the Chairs of the House and Senate Committees for Courts of Justice by November 1, 2026.