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**By: Delegates Doory, Montague, Petzold, Perry, Menes, and Harkins**

Introduced and read first time: February 2, 1996

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Violence - Lay Advocates - Authorized Activities**

3 FOR the purpose of authorizing certain lay advocates to aid a victim of domestic violence  
4 by providing certain information to the victim of domestic violence, assisting the  
5 victim of domestic violence in the preparation of certain forms in certain ways,  
6 sitting with the victim of domestic violence at a trial table under certain  
7 circumstances, and providing certain information and assistance to certain  
8 governmental representatives; authorizing a lay advocate to engage in certain  
9 general advocacy activities; defining a certain term; making a technical change; and  
10 generally relating to the activities of a lay advocate for a victim of domestic violence.

11 BY repealing and reenacting, with amendments,  
12 Article - Family Law  
13 Section 4-513  
14 Annotated Code of Maryland  
15 (1991 Replacement Volume and 1995 Supplement)

16 BY adding to  
17 Article - Family Law  
18 Section 4-517  
19 Annotated Code of Maryland  
20 (1991 Replacement Volume and 1995 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Family Law**

24 4-513.

25 (A) In this Part III of this subtitle, THE FOLLOWING WORDS HAVE THE  
26 MEANINGS INDICATED.

27 (B) (1) ["victim] "VICTIM of domestic violence" means an individual who has  
28 received deliberate, severe, and demonstrable physical injury, or is in fear of imminent  
29 deliberate, severe, and demonstrable physical injury from a current or former spouse, or  
30 a current or former cohabitant, as defined in § 4-501 of this subtitle.

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1 (2) FOR THE PURPOSES OF § 4-517 OF THIS SUBTITLE, "VICTIM OF  
2 DOMESTIC VIOLENCE" INCLUDES A PERSON ELIGIBLE FOR RELIEF.

3 (C) "LAY ADVOCATE" MEANS AN INDIVIDUAL, EMPLOYED BY EITHER A  
4 GOVERNMENTAL AGENCY OR A NONPROFIT DOMESTIC VIOLENCE PROGRAM, WHO  
5 PROVIDES INFORMATION, AID, AND COMFORT TO A VICTIM OF DOMESTIC  
6 VIOLENCE.

7 4-517.

8 A LAY ADVOCATE MAY:

9 (1) PROVIDE A VICTIM OF DOMESTIC VIOLENCE WITH INFORMATION  
10 ABOUT THE EXISTENCE OF LEGAL RIGHTS AND REMEDIES;

11 (2) PROVIDE A VICTIM OF DOMESTIC VIOLENCE INFORMATION ABOUT  
12 THE MANNER IN WHICH JUDICIAL PROCEEDINGS ARE CONDUCTED;

13 (3) ASSIST A VICTIM OF DOMESTIC VIOLENCE TO PREPARE A LEGAL  
14 PLEADING BY:

15 (I) DEFINING UNFAMILIAR TERMS ON A FORM;

16 (II) EXPLAINING WHERE ON A FORM THE VICTIM OF DOMESTIC  
17 VIOLENCE IS TO PROVIDE CERTAIN INFORMATION; AND

18 (III) IF NECESSARY, COMPLETING A FORM OR DOCUMENT BY  
19 TRANSCRIBING OR RECORDING THE VICTIM OF DOMESTIC VIOLENCE'S OWN  
20 WORDS;

21 (4) IF PERMITTED BY THE COURT, SIT WITH A VICTIM OF DOMESTIC  
22 VIOLENCE AT A TRIAL TABLE;

23 (5) ON BEHALF OF A VICTIM OF DOMESTIC VIOLENCE, PROVIDE  
24 INFORMATION TO A GOVERNMENTAL REPRESENTATIVE AND ASSIST A  
25 GOVERNMENTAL REPRESENTATIVE IN THE PREPARATION OF A CASE, PROVIDED  
26 THE LAY ADVOCATE:

27 (I) HAS RECEIVED AT LEAST 10 HOURS OF TRAINING BY AN  
28 ATTORNEY LICENSED TO PRACTICE LAW IN THIS STATE; AND

29 (II) HAS, OR IS SUPERVISED BY ANOTHER INDIVIDUAL WHO HAS,  
30 AT LEAST 2 YEARS OF EXPERIENCE WORKING WITH VICTIMS OF DOMESTIC  
31 VIOLENCE; AND

32 (6) ENGAGE IN THE GENERAL ADVOCACY FOR THE RIGHTS OF VICTIMS  
33 OF DOMESTIC VIOLENCE.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 1996.