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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 748 Session of  
2005

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INTRODUCED BY BROWNE, PIPPY, RAFFERTY, BOSCOLA, COSTA, EARLL AND  
FERLO, JUNE 13, 2005

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REFERRED TO JUDICIARY, JUNE 13, 2005

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AN ACT

1 Establishing the Judicial Education Program in Domestic  
2 Violence; and requiring judges to attend and successfully  
3 complete the program.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Domestic  
8 Violence Judicial Education Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Abuse." The occurrence of any of the following acts between  
14 family or household members, sexual or intimate partners or  
15 individuals who share biological parenthood:

16 (1) Intentionally, knowingly or recklessly causing or  
17 attempting to cause bodily injury, serious bodily injury,  
18 rape, sexual assault or involuntary deviate sexual

1 intercourse.

2 (2) Placing by physical menace another in fear of  
3 imminent serious bodily injury.

4 (3) An offense under 18 Pa.C.S. § 2903 (relating to  
5 false imprisonment).

6 (4) "Serious bodily injury" or "sexual abuse or  
7 exploitation," as defined in 23 Pa.C.S. § 6303 (relating to  
8 definitions).

9 (5) Knowingly engaging in a course of conduct or  
10 repeatedly committing acts toward another person, including  
11 following the person, without proper authority, under  
12 circumstances which place the person in reasonable fear of  
13 bodily injury.

14 "Domestic violence." Abuse or other violent acts which occur  
15 between family or household members.

16 "Family or household members." Spouses or individuals who  
17 have been spouses, individuals living as spouses or who lived as  
18 spouses, parents and children, other persons related by  
19 consanguinity or affinity, current or former sexual or intimate  
20 partners and individuals who share biological parenthood.

21 "Governing authority." As defined in 42 Pa.C.S. § 102  
22 (relating to definitions).

23 "Judge." Includes a justice of the Supreme Court, a judge of  
24 a community court, Pittsburgh Magistrates Court, Philadelphia  
25 Municipal Court and a senior judge.

26 "Program." The Judicial Education Program in Domestic  
27 Violence established in section 3 (relating to program  
28 established).

29 Section 3. Program established.

30 (a) Establishment.--There is established a Judicial

1 Education Program in Domestic Violence, to be attended and  
2 successfully completed by each judge and to be administered by  
3 the governing authority.

4 (b) Governing authority.--The governing authority shall do  
5 all of the following:

6 (1) Establish and administer a course of study and  
7 training for judges in domestic violence, to be at least 20  
8 hours in length.

9 (2) Establish the minimum qualifications for  
10 instructors.

11 (3) Consult, cooperate and contract with universities,  
12 colleges, law schools and mental health and health care  
13 professionals regarding the development of education courses  
14 in the program and the teaching of those courses.

15 Section 4. Judicial education regarding domestic violence  
16 required.

17 Each judge and district justice shall be required to attend  
18 and successfully complete the program.

19 Section 5. Effective date.

20 This act shall take effect in 180 days.