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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2826 Session of  
1998

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INTRODUCED BY L. I. COHEN, DALLY, READSHAW, JAMES, CASORIO,  
WAUGH, SEYFERT, C. WILLIAMS, MCGILL, RUBLEY, BEBKO-JONES,  
HARHAI, DENT, JOSEPHS, BUNT, ITKIN, CIVERA, McNAUGHTON,  
WALKO, SAYLOR, ROBINSON, D. W. SNYDER, BROWNE, RAMOS,  
FICHTER, MELIO, YOUNGBLOOD, STURLA AND THOMAS,  
SEPTEMBER 30, 1998

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 30, 1998

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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

1 attempting to cause bodily injury, serious bodily injury,  
2 rape, sexual assault or involuntary deviate sexual  
3 intercourse.

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

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

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

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

16 "Domestic violence." Abuse or other violent acts which occur  
17 between family or household members.

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

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

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

28 "Minor." An individual who is under 18 years of age.

29 "Program." The Judicial Education Program in Domestic  
30 Violence established in section 3.

1 Section 3. Program established.

2 (a) Establishment.--There is established a Judicial  
3 Education Program in Domestic Violence, to be attended and  
4 successfully completed by each judge and to be administered by  
5 the governing authority.

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

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

11 (2) Establish the minimum qualifications for  
12 instructors.

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

17 Section 4. Judicial education regarding domestic violence  
18 required.

19 Each judge and district justice shall be required to attend  
20 and successfully complete the program.

21 Section 5. Effective date.

22 This act shall take effect in 180 days.