

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1389 Session of
2015

INTRODUCED BY BROWNE, COSTA, VULAKOVICH, HUGHES, MENSCH,
RAFFERTY, FONTANA, HAYWOOD, TARTAGLIONE, FARNESE AND TEPLITZ,
OCTOBER 17, 2016

REFERRED TO JUDICIARY, OCTOBER 17, 2016

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 or Philadelphia
25 Municipal Court, a senior judge and a magisterial district
26 judge.

27 "Program." The Judicial Education Program in Domestic
28 Violence established under section 3.
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 shall be required to attend and successfully
18 complete the program.

19 Section 5. Effective date.

20 This act shall take effect in 180 days.