

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 308 Session of 2009

INTRODUCED BY BROWNE, WASHINGTON, ORIE, EARLL, BOSCOLA, BAKER,
RAFFERTY, FERLO, COSTA AND TARTAGLIONE, FEBRUARY 20, 2009

REFERRED TO JUDICIARY, FEBRUARY 20, 2009

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.
28 Section 3. Program established.

29 (a) Establishment.--There is established a Judicial
30 Education Program in Domestic Violence, to be attended and

1 successfully completed by each judge and to be administered by
2 the governing authority.

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

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

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

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

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

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

18 Section 10. Effective date.

19 This act shall take effect in 180 days.