

Public Law 102-528
102d Congress

An Act

To amend the State Justice Institute Act of 1984 to carry out research, and develop judicial training curricula, relating to child custody litigation.

Oct. 27, 1992
[H.R. 1253]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITION.

Section 202 of the State Justice Institute Act of 1984 (42 U.S.C. 10701) is amended—

- (1) in paragraph (6) by striking “and” at the end,
- (2) in paragraph (7) by striking the period at the end and inserting “; and”, and
- (3) by adding at the end the following:

“(8) ‘domestic violence’ means—

“(A) any action that constitutes—

“(i) attempting to cause or intentionally, knowingly, or recklessly causing bodily injury or physical illness;

“(ii) rape, sexual assault, or causing involuntary deviate sexual intercourse;

“(iii) placing by physical menace another in fear of imminent serious bodily injury; or

“(iv) the infliction of false imprisonment;

if such action is taken by one of 2 spouses, former spouses, or sexual or intimate partners against the other spouse, former spouse, or partner and the 2 of whom share biological parenthood of, have adopted, are legal custodians of, or are stepparents of a minor child; or

“(B) physically or sexually abusing such minor child if such abuse is inflicted by either of such spouses, former spouses, or partners.”.

SEC. 2. AUTHORITY TO PROVIDE FUNDS FOR RESEARCH AND CURRICULUM DEVELOPMENT RELATING TO CHILD CUSTODY LITIGATION.

Section 206(c) of the State Justice Institute Act of 1984 (42 U.S.C. 10705(c)) is amended—

- (1) in paragraph (12) by striking “and” at the end,
- (2) by redesignating paragraph (13) as paragraph (14),

and

(3) by inserting after paragraph (12) the following:

“(13) conduct not more than 5 projects at an aggregate cost of not to exceed \$600,000—

“(A) to investigate, and carry out research regarding State judicial decisions relating to child custody litigation involving domestic violence;

“(B) to develop training curricula to assist State courts to develop an understanding of, and appropriate responses to, child custody litigation involving domestic violence; and

“(C) to disseminate the results of the investigation and research carried out under subparagraph (A), and the curricula developed under subparagraph (B), to State courts; and”.

SEC. 3. TECHNICAL AMENDMENTS.

The State Justice Institute Act of 1984 (42 U.S.C. 10701 et seq.) is amended—

42 USC 10702.

(1) in section 203(f) by striking the last sentence,

(2) in section 206(c), as amended by section 2—

(A) in paragraph (3) by striking “judicial and” the second place it appears,

(B) by redesignating paragraphs (4) through (14) as paragraphs (5) through (15), respectively, and

(C) by inserting after paragraph (3) the following:

“(4) to support studies of the appropriateness of efficacy of court organization and financing structures in particular States, and to enable States to implement plans for improved court organization and finance;”.

Approved October 27, 1992.

LEGISLATIVE HISTORY—H.R. 1253:

HOUSE REPORTS: No. 102-992 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 138 (1992):

Oct. 3, considered and passed House.

Oct. 7, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 27, Presidential statement.