

FAMILY VIOLENCE

LEGISLATIVE UPDATE

A CONRAD N. HILTON FOUNDATION PROJECT

The Model Code on Domestic and Family Violence is the result of a three year project, funded by the Conrad N. Hilton Foundation, which analyzed state legislation on family violence and developed a comprehensive model code to address family violence issues facing communities across the country. Since the Model Code was published in 1994 it has been distributed to and used by many organizations and individuals in the public arena who are seeking legislative and policy solutions to the problem of family violence.

The Hilton Foundation's interest and involvement in reducing and preventing family violence has not ended

with the development of the Model Code. The Foundation continues to provide funding to ensure that professionals working in the area of family violence in every state are aware of the Model Code, to assist with implementation of the Model Code, to document legislative changes in states, and to provide annual updates of new state family violence legislation for those working in the fields of family violence and legislation.

This publication is the fourth annual update and addresses the 1998 legislative changes made across the country in the area of family violence.

National Council of Juvenile & Family Court Judges

Louis W. McHardy, Dean & Executive Director



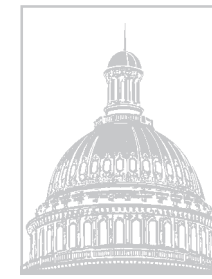
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Family Violence Database Available

Thanks to continued financial support from the Conrad N. Hilton Foundation, the Family Violence Department at the National Council of Juvenile and Family Court Judges has been able to maintain and update its family violence statute database. This database contains all domestic violence-related statutes from the 50 states and the District of Columbia. The statutes are updated as legislation is added, deleted, or amended in each state's legislative sessions.

This database has been developed in conjunction with the Model Code on Domestic and Family Violence, and will be helpful to persons interested in researching a particular area of the law which addresses family violence. The Family Violence Department staff will be able to provide information on any existing state statute that deals with the specific topic in question. Information contained in the statute database is available upon request.

National Council of Juvenile & Family Court Judges



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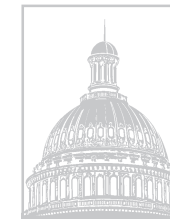
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FAMILY VIOLENCE
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INTRODUCTION AND OVERVIEW

by Meredith Hofford

In 1998 state legislatures once again enacted significant legislation addressing domestic and family violence. Several states passed measures designed to improve enforcement of foreign protection orders. Many states provided for accountability for batterers through enhanced penalties, weapons restrictions, mandatory jail time, and creation of new crimes. Welfare reform was addressed in the form of program exemptions for victims of domestic or family violence. Other states addressed victim safety and the use of the family violence indicator for the Federal Parent Locator Service. Some states also mandated training for a variety of professionals, including child protection workers.

Congratulations to West Virginia for enacting numerous statutes based on the Model Code and designed to hold batterers accountable, protect victims and children, and enhance prevention and treatment. Other states effective in these endeavors during the legislative session include Arizona, California, Kentucky, Massachusetts, and Mississippi.

The general trends of the 1998 legislative session are outlined briefly below. Details of accomplishments and trends appear in the charts and state summaries that follow the introduction.

FULL FAITH AND CREDIT

Seven more states joined the 17 states which enacted laws in prior legislative sessions to provide full faith and credit for valid foreign protection orders. Another two states continued their efforts to provide rigorous enforcement of foreign orders of protection. California, for example, wrote into its statute the requirement that applicants for protection orders be given information about how to enforce in other

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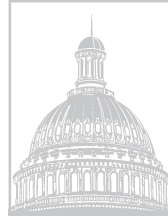
jurisdictions an order issued by a California court. California law also eliminated the requirement to enter a valid out-of-state protective order into the registry prior to its being enforced. Most of the states included a presumption of validity for foreign protection orders where an order appears authentic on its face.

ENHANCED PENALTIES

A number of states enacted laws to enhance penalties for repeat offenders. A few states enhanced penalties for violations of protective orders as well as for subsequent acts of domestic or family violence. Some states enacted laws that make the existence of a no-contact order, protection order, or restraining order at the time of the victim's murder an aggravating factor in sentencing for first degree or second degree murder.

WEAPONS RESTRICTIONS

Quite a few states continued the trend of restricting a batterer's access to firearms or other weapons. West Virginia enacted a law to require a respondent to be informed in the order of protection that possession of a firearm while subject to such order is a violation of federal law.



DOMESTIC VIOLENCE IN THE PRESENCE OF A CHILD

Six states addressed the issue of domestic violence committed in the presence of a child. Although it is unclear what the consequences of such legislation will be for victims of domestic violence, there seems to be a growing trend to legislate this issue. Two states enhanced penalties for acts of domestic violence committed in the presence of a child. Alaska enacted a law to allow the court to find a child in need of aid in cases where the child has been exposed to domestic violence. Delaware made committing domestic violence in the presence of a child a crime of endangering the welfare of a child. While proponents of such legislation advance a number of arguments in its favor, there are downsides which should be considered as well, including whether such laws actually help children and whether they might be used against battered victims.

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CONFIDENTIALITY OF IDENTIFYING INFORMATION

Protecting the safety of victims and children was the focus in 11 states, who enacted laws to prohibit the disclosure of identifying information in cases where there is reason to believe that such disclosure would endanger their safety. Several states prohibited the disclosure of information in dependency and neglect proceedings or support enforcement proceedings. Other states prohibited the disclosure of information as part of a protection order. Florida and California enacted laws to create address confidentiality programs for victims of domestic violence, which includes allowing a program participant to vote by absentee ballot.

INSURANCE DISCRIMINATION

Eight states prohibited insurance discrimination against victims of domestic violence. Kentucky's law specifically provides that domestic violence is not a pre-existing condition. West Virginia enacted a law to prohibit a health benefits policy from denying coverage for reconstructive or cosmetic surgery required as a result of an injury caused by an act of family violence.



WELFARE REFORM/FEDERAL PARENT LOCATOR SERVICE

Six states passed legislation providing for program exemptions for victims of domestic violence or enacted laws regarding the family violence indicator for the Federal Parent Locator Service.

NEW CRIMES TO ADDRESS DOMESTIC VIOLENCE

Several states enacted laws creating new crimes that address domestic violence. California enacted a law making stalking through electronic communications a crime. Tennessee created a felony for a convicted criminal to communicate in person for no legitimate purpose with a victim of such person's crime in an anonymous, threatening, or harassing manner. Kentucky enacted a law to create the crime of fleeing or evading police where a person flees immediately after committing an act of domestic violence.

INTRODUCTION AND OVERVIEW

OTHER TRENDS

- Massachusetts enacted laws to create a rebuttable presumption that it is not in the best interest of the child to be placed in sole or joint custody with the abusive parent. The laws also provide for visitation considerations, including ordering supervised visitation.
- Tennessee passed legislation requiring the court, in determining whether to permit relocation of a child, to consider the best interests of the child and evidence of physical or emotional abuse to the child, to the other parent, or to any other person.
- Three states enacted laws to require domestic violence training for child protection workers, social services workers, mental health professionals, school personnel, law enforcement, or court personnel.
- Three states enacted laws to deny a person's eligibility to be a foster parent or child protection worker in cases where that person had been convicted of domestic violence.
- Four states enacted laws regarding parenting education courses. Florida, Missouri, and Nebraska laws provide for good cause exceptions or separate courses if domestic violence is present or the safety of a party or child is at risk. South Dakota requires a batterer to receive instruction on parenting as part of the sentence if a minor child resides with the batterer or the victim of domestic abuse.
- Three states passed legislation to prohibit employers from discriminating against victims of domestic violence. New Hampshire prohibits an employer from denying unemployment benefits to a person who leaves a job in order to achieve protection from domestic abuse.
- Michigan and South Dakota enacted laws requiring defendants to pay restitution to victims as a condition of sentencing.
- Missouri enacted a law to allow prior domestic violence convictions to be admissible in court, if committed within five years of the current offense, in order to show a history of domestic violence.



INTRODUCTION AND OVERVIEW

- Four states enacted laws providing for bail or release conditions. Indiana's law allows the court to impose reasonable restrictions on the activities, movements, and residence of a defendant during a period of release in cases where the defendant poses a physical risk to another person or the community.

OUR DEEPEST APPRECIATION

Our deepest gratitude is extended to the advocates and legislative councils in every state who assisted us in gathering this information. Although every effort has been made to ensure the accuracy of this document, we receive new information almost daily. Please accept our sincere apology for any errors or omissions. We would be grateful to have these brought to our attention. Also, we would appreciate any suggestions for making the document more useful to you.

The National Council's Family Violence Department would like to thank everyone who is working so hard to end domestic and family violence.



1998 STATE LEGISLATION*

STATE	Definitions	Criminal Penalties & Procedures	Civil Orders For Protection
Alabama			
Alaska	X	X	X
Arizona	X	X	X
Arkansas			
California	X	X	X
Colorado		X	X
Connecticut		X	
Delaware	X		
Dist. of Columbia			
Florida	X	X	
Georgia	X	X	
Hawaii	X	X	
Idaho	X	X	
Illinois	X	X	
Indiana		X	
Iowa		X	
Kansas	X		X
Kentucky	X	X	
Louisiana			
Maine		X	
Maryland		X	
Massachusetts			X
Michigan	X	X	
Minnesota			
Mississippi	X	X	X
Missouri	X	X	X

Family & Children	Prevention & Treatment	Miscellaneous
X		X
		X
X	X	X
		X
		X
		X
		X
		X
		X
		X
		X
X		X
X	X	X
		X
X		X
X		X
		X
X		X

* This chart represents legislation which was passed during the 1998 legislative sessions. The chart does not include laws enacted in prior legislative sessions. The chart includes some states' continuing efforts in these subject areas.

1998 STATE LEGISLATION*

STATE	Definitions	Criminal Penalties & Procedures	Civil Orders For Protection
Montana			
Nebraska		X	X
Nevada			
New Hampshire	X		
New Jersey		X	
New Mexico			
New York			X
North Carolina		X	
North Dakota			
Ohio			X
Oklahoma			
Oregon			
Pennsylvania			
Rhode Island		X	X
South Carolina			X
South Dakota		X	
Tennessee	X	X	
Texas			
Utah	X		
Vermont			
Virginia	X	X	X
Washington	X		
West Virginia	X	X	X
Wisconsin			
Wyoming			

Family & Children	Prevention & Treatment	Miscellaneous
		X
		X
		X
X		
		X
		X
	X	
		X
	X	X
		X
		X
X	X	X
		X

* This chart represents legislation which was passed during the 1998 legislative sessions. The chart does not include laws enacted in prior legislative sessions. The chart includes some states' continuing efforts in these subject areas.

1998 LEGISLATIVE TRENDS*

STATE	Prohibition of Disclosure of Information	Enhanced Criminal Penalties	Minimum Term of Imprisonment	Prohibition of Civil Suit Against Victims	Insurance Discrimination
Alabama					
Alaska		X	X		
Arizona	X	X	X		
Arkansas					
California	X				
Colorado		X		X	
Connecticut					
Delaware					
Dist. of Columbia					
Florida	X				
Georgia					
Hawaii			X		X
Idaho	X	X		X	
Illinois		X			X
Indiana					
Iowa	X	X	X		
Kansas	X				
Kentucky	X	X			X
Louisiana					
Maine					
Maryland		X			
Massachusetts	X				
Michigan					X
Minnesota					
Mississippi		X			
Missouri	X	X	X		X

Welfare Reform/ Family Violence Indicator	Full Faith & Credit	Domestic Violence in the Presence of a Child	Child Protection and Social Services	Weapons Restriction	Expanded Definition of D.V.
		X	X		
	X				X
X	X	X			X
	X				
			X		
		X			
X		X		X	
					X
					X
			X		
X					
					X
			X		X
				X	
	X				X
					X

* This chart represents legislation which was passed during the 1998 legislative sessions. The chart does not include laws enacted in prior legislative sessions. The chart includes some states' continuing efforts in these subject areas.

1998 LEGISLATIVE TRENDS*

STATE	Prohibition of Disclosure of Information	Enhanced Criminal Penalties	Minimum Term of Imprisonment	Prohibition of Civil Suit Against Victims	Insurance Discrimination
Montana					
Nebraska		X			
Nevada					
New Hampshire					
New Jersey	X	X			X
New Mexico					
New York					
North Carolina		X			
North Dakota					
Ohio				X	
Oklahoma					
Oregon					
Pennsylvania					
Rhode Island					
South Carolina					
South Dakota		X		X	
Tennessee	X				
Texas					
Utah					
Vermont					
Virginia					
Washington					X
West Virginia					X
Wisconsin					
Wyoming					

Welfare Reform/ Family Violence Indicator	Full Faith & Credit	Domestic Violence in the Presence of a Child	Child Protection and Social Services	Weapons Restriction	Expanded Definition of D.V.
	X				
X					
	X				
	X				
			X		
					X
		X	X		
X					
			X	X	X
					X
	X		X	X	X
			X		

* This chart represents legislation which was passed during the 1998 legislative sessions. The chart does not include laws enacted in prior legislative sessions. The chart includes some states' continuing efforts in these subject areas.

**LEGISLATURE MEETS:**

Annually starting in January and normally ending in May.

DEFINITIONS:

§§11.56.750 and 11.56.755 are enacted to create the crime of unlawful contact if a person who has been ordered not to contact a victim or witness contacts a victim or witness of the offense.

§11.61.220 amends the crime of misconduct involving weapons in the fifth degree to include knowingly possessing a firearm within a courtroom, courthouse, or a domestic violence or sexual assault shelter that receives funding from the state.

CRIMINAL PENALTIES AND PROCEDURES:

§12.55.015 is amended to provide that the court, in imposing sentence on a defendant, may order the defendant to have no contact, either directly or indirectly, with a victim or witness of the offense until the defendant is unconditionally discharged.

§12.55.135 is amended to require a person convicted of assault in the fourth degree that is a crime involving domestic violence and not subject to certain sentencing guidelines to serve a minimum term of imprisonment. This statute:

- enhances the penalty for a person previously convicted of a crime involving domestic violence or a crime against a person; and
- prohibits suspending execution or imposition of sentence or granting parole or probation until the minimum term of imprisonment has been served.

§33.30.065 is enacted to require the commissioner to consider the record of convictions of a prisoner, with particular emphasis on crimes involving domestic violence, to determine whether to sentence a prisoner to serve a term of imprisonment or a period of temporary commitment by electronic monitoring.

CIVIL ORDERS FOR PROTECTION:

§18.66.100 is amended to require the court to order a defendant to participate only in batterer intervention programs that meet Department of Corrections standards.

FAMILY AND CHILDREN:

Chapter 30 of Title 25 is amended to replace the Uniform Child Custody Jurisdiction Act with the Uniform Child Custody Jurisdiction and Enforcement Act.

MISCELLANEOUS:

§47.10.011 is enacted to allow the court to find a child in need of aid in cases where conduct by or conditions created by a parent, guardian, or custodian have placed the child at substantial risk of mental injury as a result of exposing a child to domestic violence or a crime involving domestic violence.

§47.10.013 is created to provide that a parent or guardian who is a victim of domestic violence is considered to have justifiable cause to take an action or to fail to take an action that would otherwise be considered to be abandonment of a child, unless the parent or guardian does not take reasonable steps to reunify with or provide care for the abandoned child after becoming secure from further acts of domestic violence.

§47.10.082 is amended to require the court to consider the “health and safety of the child and other considerations” rather than the “best interest of the child” in determining whether a child is in need of aid. The court is to consider the potential harm to the child caused by removal of the child from the home and family environment.

§47.10.086 is enacted to provide that the department is not required to make reasonable efforts to assist a parent or guardian who has committed homicide of a parent or of a child in order to remedy the conditions in the home which placed the child in need of aid.

ALASKA

§47.10.088 is created to allow the court, when deciding to terminate parental rights, to consider:

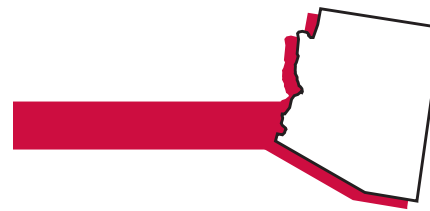
- the amount of effort by a parent to remedy the conditions in the home;
- the harm caused to the child;
- the likelihood that the harmful conduct will continue; and
- the history of conduct by or conditions created by the parent.

§47.14.100 is amended to allow the department to place or continue the placement of a child at a relative's home if the relative, who is arrested for, charged with, convicted of, or found not guilty by reason of insanity of a serious offense, demonstrates that the conduct occurred at least five years before the intended placement and:

- did not involve a victim under 18 years of age,
- was not a crime of domestic violence, and
- was not a violent crime.

§47.17.035 is amended to address:

- appropriate steps the court is required to take in order to protect a child who is found to be in need of care because of domestic violence or the presence of domestic violence in the family;
- reasonable efforts to protect a child and prevent the removal of the child from a parent or guardian who is not a domestic violence offender;
- reasonable efforts to remove an alleged domestic violence offender from a child's residence if it is determined that the child or another family or household member is in danger of domestic violence; and
- services to help protect a child from being placed or having unsupervised visitation with a domestic violence offender until the department determines that the offender has met necessary conditions to protect the safety of the victim and household members.



ARIZONA

LEGISLATURE MEETS:

Annually starting in January and normally ending in April.

DEFINITIONS:

§13-3601 is amended to expand the definition of “domestic violence” to apply in cases where the victim is related to the defendant or the defendant's spouse by blood as a parent, grandparent, child, grandchild, brother, or sister or by marriage as a parent-in-law, grandparent-in-law, step-child, step-grandchild, brother-in-law, or sister-in-law.

§13-3601.02 is enacted to create the crime of aggravated domestic violence for a third or subsequent domestic violence offense or for a domestic violence offense if a defendant was previously convicted of any combination of convictions of a similar domestic violence offense or act in another state or tribal court within a period of 60 months. The statute:

- requires the defendant to serve jail time;
- provides for enhanced penalties; and
- categorizes aggravated domestic violence as a class 5 felony.

§13-2921 is amended to include as harassment:

- surveilling a person with no legitimate purpose;
- making false reports to a law enforcement agency, credit or social service agency; and
- interfering with the delivery of public or regulated utilities.

§13-2921.01 is enacted to create the crime of aggravated harassment in cases where a person commits harassment while subject to a valid order of protection or injunction against harassment or if the person has a prior conviction for domestic violence.

CRIMINAL PENALTIES AND PROCEDURES:

Article 11 is enacted to provide for deferred prosecution programs, except for those cases where a person:

- has been previously convicted of a felony;
- is accused of committing a felony involving the use or exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury; or
- has previously completed a program established pursuant to this article.

§13-711 is amended to allow for increased sentencing where a person is convicted of an offense involving domestic violence and the victim was pregnant at the time of the commission of the offense.

§13-3601 is amended to require written notice to a defendant of:

- the consequences of completing or failing to complete the terms and conditions of diversion if the defendant is diverted from prosecution for a domestic violence offense; and
- the consequences for subsequent convictions for domestic violence if found guilty of a first domestic violence offense.

The statute requires the defendant to complete a batterer intervention program as part of the terms and conditions of probation in cases where the court does not enter a judgment of guilt.

§13-3601.01 is amended to provide that in cases where, within 60 months, a person is convicted of a second domestic violence offense, or is convicted of a domestic violence offense and has been convicted of a similar offense in another state or tribal court, the court may order:

- supervised probation for up to 12 months;
- incarceration as a condition of probation under certain circumstances; and

- work release or study release if such work or study is confirmed.

§13-2923 is amended to enhance the penalty to a class 3 felony for stalking in cases where a reasonable person is put in fear of physical injury or death to themselves or to an immediate family member.

§13-914 is amended to provide that a judge may impose a term of intensive probation supervision on a felony domestic violence offender.

CIVIL ORDERS FOR PROTECTION:

§12-1809 is amended to require that the address of a plaintiff remain unlisted on the petition if it is unknown to the defendant, whether or not the relief sought is ultimately granted.

§13-3602 is amended to:

- prohibit the possession or purchase of a firearm for the duration of the order if the court deems that a defendant is a credible threat to the safety of the plaintiff or other person;
- provide for the transfer of firearms already in the defendant's possession to the appropriate law enforcement agency; and
- require that full faith and credit be given to a valid protection order issued by another state, tribal or U.S. territory. A peace officer may presume the validity of and rely on a copy of a protection order.

MISCELLANEOUS:

§8-807 is enacted to provide for nondisclosure of the location of a subject's spouse and children and other identifying information in order to protect the life or safety of the person where the person is a party in a dependency or termination of parental rights proceeding.



LEGISLATURE MEETS:

Sessions begin in January of even-numbered years and end in November of the following odd-numbered years.

DEFINITIONS:

The Penal Code and the Civil Code are amended to expand the definition of “credible threat” for stalking to include threats made by means of an electronic communication device. These codes incorporate the federal law definition of “electronic communication.”

§527.6 of the Civil Procedure Code is amended to include in the definition of harassment:

- unlawful violence; and
- credible threat of violence.

§6203 of the Family Code is amended to include in the definition of “abuse” under the Domestic Violence Prevention Act any act that has been or could be enjoined by ex parte order.

§836 of the Penal Code is amended to expand the class of persons upon whom an assault or battery is committed for purposes of warrantless arrest to include:

- former spouses or former cohabitants;
- a person with whom the defendant is having or has had an engagement relationship;
- a child of the defendant;
- a child whose parentage by the defendant is subject to lawsuit;
- a child of a person in one of the above categories; and
- any other person related by consanguinity or affinity within the second degree.

§243 of the Penal Code is amended to expand the class of persons upon whom an assault or battery is committed for purposes of enhanced punishments to include:

- cohabitating former spouses; and

- a person with whom the defendant is having or has had an engagement relationship.

CRIMINAL PENALTIES AND PROCEDURES:

§264.2 of the Penal Code is amended to expand the group of victims entitled to receive the domestic violence emergency procedure card to include victims of an alleged battery or corporal injury on a spouse or domestic partner. This statute requires the card to include the additional statement that battery and corporal injury on a spouse or domestic partner is a crime.

§296 of the Penal Code is enacted to expand the offenses for which a person is required to provide specified DNA evidence to include:

- attempted murder;
- voluntary manslaughter;
- felony spouse abuse; and
- kidnapping.

§§13701 and 13711 of the Penal Code are amended to require law enforcement agencies to encourage arrest if there is probable cause that a foreign order of protection has been violated.

CIVIL ORDERS FOR PROTECTION:

§527 of the Civil Procedure Code is amended to allow the court, upon good cause shown, to include in the temporary restraining order other named persons residing with a petitioner. This statute makes temporary restraining orders and injunctions relating to harassment subject to the Department of Justice data-reporting requirement.

§6380 of the Family Code is amended to require the Department of Justice to be notified of the terms and conditions of any restrictions on the ownership or possession of firearms in a protective order.

§§6380 and 6380.5 of the Family Code are amended to:

- require informational packets to contain a statement that a protection order is enforceable in any state, territory, or reservation;
- provide general information about the agencies to contact in other jurisdictions to enforce an order issued by a California court;
- require the Judicial Council to adopt rules of court to allow a person voluntarily to register a valid foreign order with a court for entry into the Domestic Violence Protection Order Registry;
- require sealing foreign protection orders with access provided only to specified persons under certain conditions; and
- eliminate the requirement to enter a valid out-of-state protective or restraining order into the Registry prior to its being enforced.

§6322.5 of the Family Code is enacted to allow the court to issue an ex parte order prohibiting disclosure of the address or other identifying information of a party, child, parent, guardian, or other caretaker of a child.

FAMILY AND CHILDREN

§3030 of the Family Code and §362.1 of the Welfare and Institutions Code are amended to prohibit the granting of custody or unsupervised visitation rights to a parent who has been convicted of first degree murder of the child's other parent, unless the court finds that there is no risk to the child's health, safety, or welfare. These findings must be made in writing or on the record. Factors that the court may consider in making such finding include:

- the wishes of the child if he or she is of sufficient age and capacity;
- evidence that the convicted parent was a victim of abuse committed by the deceased parent; and

- expert testimony that the convicted parent suffers from battered woman's syndrome.

These sections also prohibit any person from taking the child to visit or remain in the custody of the convicted parent without a custody or visitation order or the consent of the child's custodian or guardian. These prohibitions also apply to visitation between a parent and a dependant child placed in foster care.

PREVENTION AND TREATMENT:

§§832.3 and 832.4 of the Penal Code are amended to require police chiefs and other persons in charge of local law enforcement agencies to complete a course of training which includes law enforcement's response to domestic violence calls.

§13515.55 of the Penal Code is enacted to require city police officers or deputy sheriffs at a supervisory level to complete a high technology crimes and computer seizure training course certified by POST in regard to the newly created crime of stalking through electronic communication devices.

§§13519 and 13701 of the Penal Code are amended to require that the training course for law enforcement officers include the techniques for recognizing the signs of domestic violence and that officer response policies include:

- transporting domestic violence victims and children to a hospital for treatment when necessary; and
- assisting domestic violence victims with the removal of personal property and safe passage out of their residence.

MISCELLANEOUS:

§4978 of the Family Code is amended to require the support enforcement agency to provide information to a party regarding nondisclosure orders and to seek an order of nondisclosure in cases where the petitioner informs the agency that he or she:

- has obtained a protective order; or

- has been granted a good cause exception from cooperation requirements.

§6390 of the Family Code is enacted to require the Judicial Council to:

- conduct a descriptive study of various domestic violence courts in California and other states;
- describe the policies and procedures used in the domestic violence courts and provide analysis and rationale for the common features of these courts; and
- identify issues and potential obstacles, if any, to be considered in developing and implementing effective domestic violence courts at the local level.

§18390 of the Welfare and Institution Code is enacted to provide that an applicant who entered the U.S. on or after August 22, 1996, is eligible for the Food Assistance Program only if sponsored and one of the following criteria apply:

- the applicant is a victim of abuse, after entry into the United States, by the sponsor or the spouse of the sponsor if the spouse is living with the sponsor;
- the sponsor has died; or
- the sponsor is disabled.

A sworn statement accompanied by additional evidence is sufficient to establish abuse. The sworn statement alone is sufficient in cases where the victim cannot provide additional evidence of abuse but is found by the county to be credible.

§§15000 through 15012 of the Family Code are enacted to create a pilot project to:

- establish family law information centers in three pilot project courts;
- require the centers to maintain a directory of community resources including low-cost legal assistance, counseling, domestic violence shelters, parenting education, mental health services, and job placement programs; and

- require the pilot projects to be evaluated in regard to the type of information sought concerning domestic violence prevention proceedings, marital dissolution, paternity, child custody, visitation, child support, or spousal support.

§§1030, 1032, 1256 of the Unemployment Insurance Code are amended to provide that an individual may be deemed to have left his or her most recent work with good cause if he or she leaves employment to protect his or her children, or himself or herself, from domestic violence abuse. Unemployment compensation benefits paid to that individual would not be chargeable to the account of the employer, except as specified.

§2166.5 of the Elections Code is enacted to allow a participant in the Address Confidentiality for Victims of Domestic Violence program to vote by absentee ballot.

Chapter 3.1 is added to Division 7 of Title 1 of the Government Code to create the Address Confidentiality for Victims of Domestic Violence program which allows victims of domestic violence to:

- keep their address confidential by designating the Secretary of State as their agent for service of process and receipt of mail;
- keep marriage information confidential; and
- vote by absentee ballot.

The new law specifies grounds for termination of certification and provides that the Secretary of State is not liable for injury or harm as a result of handling the mail on behalf of participants.

§13960 of the Government Code is amended to provide that for purposes of restitution, the State Board of Control may apply the presumption that a victim of a specified crime, who sustains emotional injury, also sustains physical injury to a child who witnesses a crime of domestic violence.



LEGISLATURE MEETS:

Annually starting in January and limited to 120 calendar days.

CRIMINAL PENALTIES AND PROCEDURES:

§18-1-106 is amended to include as a “misdemeanor that presents an extraordinary risk” subsequent violations of a restraining order.

§18-6-803.6 is amended to provide that a peace officer is not required to arrest:

- both parties involved in an alleged act of domestic violence in cases where both claim to be victims of domestic violence; or
- either party involved in an alleged act of domestic violence when there is no probable cause to believe that a crime or offense of domestic violence was committed.

CIVIL ORDERS FOR PROTECTION:

Titles 14 and 18 are amended to require that full faith and credit be given to foreign protection orders. Under these titles a foreign protection order is:

- any protection or restraining order, injunction, or other order;
- issued to prevent violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person;
- inclusive of temporary or final orders, other than child support or custody orders; and
- issued by a civil or criminal court of another state, an Indian tribe, or U.S. territory or commonwealth.

§13-1-136 is enacted to require the State Court Administrator to develop standardized forms to be used by the courts in issuing civil restraining orders.



MISCELLANEOUS:

§13-80-119 is amended to protect victims of crime from being sued for civil damages by the defendant.

§24-4.1-109 is amended to include as a compensable loss resulting from property damage any modification to a victim’s residence that is necessary to ensure victim safety.

§§19-5-207 and 19-5-210 are amended to require a criminal records check to determine if a prospective adoptive parent was convicted of a felony, including spousal abuse, and to deny the adoption decree if such a determination is made.

CONNECTICUT



LEGISLATURE MEETS:

Annually. In odd-numbered years, sessions start in January and normally end in June. In even-numbered years, sessions start in February and normally end in May.

CRIMINAL PENALTIES AND PROCEDURES:

§53a-40e is amended to include the crime of stalking against a family or household member as an offense for which a court may issue a standing criminal restraining order.

MISCELLANEOUS:

Title 17b is amended to require the Department of Social Services to perform, for each person found eligible for time-limited assistance, an initial assessment in the following areas:

- education;
- employment and training history;
- basic educational needs; and
- other social service needs, including transportation, child care, child support, domestic violence, substance abuse, and mental health.

DELAWARE



LEGISLATURE MEETS:

Annually starting in January and ending in June.

DEFINITIONS:

§1102 of Title 11 is amended to provide that the crime of endangering the welfare of child includes:

- any violent felony, or reckless endangering second degree, assault third degree, terroristic threatening, or unlawful imprisonment second degree,
- committed against a victim,
- knowing that such felony or misdemeanor was witnessed by a child less than 18 years of age who is a member of the person's family or victim's family.

FLORIDA



LEGISLATURE MEETS:

Annually starting in March. Sessions normally last for 60 calendar days.

DEFINITIONS:

§914.25 is amended to include attempt, solicitation, or conspiracy to commit certain offenses in the definition of "serious felony offense" for which law enforcement agencies are authorized to protect victims and witnesses who are at risk of harm.

CRIMINAL PENALTIES AND PROCEDURES:

§790.233 is enacted to prohibit a person who is subject to a final injunction against domestic violence from having any firearm or ammunition in his or her care, custody, possession, or control.

§§741.30 and 741.31 are amended to require that a final injunction against domestic violence indicate on its face that the person is prohibited from having any firearm or ammunition in his or her care, custody, possession, or control.

§921.0024 is amended to provide that domestic violence committed in the presence of a child is a multiplier on the offense score for purposes of sentencing.

FAMILY AND CHILDREN:

The Marriage Preparation and Preservation Act is enacted to:

- require the court to create a family law handbook that includes information about domestic violence and child abuse and neglect;
- require parties seeking to modify a final judgment involving shared parental responsibilities, custody, or visitation to complete a court-approved parenting course;
- require every parent education and family stabilization course to include information regarding spousal abuse and child abuse and neglect; and

- prohibit the parties from taking the parenting course together in cases where there is a history of domestic violence between them.

MISCELLANEOUS:

Chapter 414 is amended to require that the Work and Gain Economic Self-sufficiency (WAGES) program:

- include provisions for providing services for victims of domestic violence;
- provide an exception from the work requirements for certain individuals at risk of domestic violence;
- permit domestic violence victims to be granted hardship exemptions not subject to certain percentage limitations;
- allow WAGES participants to receive information regarding domestic violence support services;
- provide that risk of domestic violence is good cause for not cooperating with paternity establishment; and
- provide a relocation assistance program for families receiving or eligible to receive WAGES Program assistance.

§61.1825 is amended to require the depository for the court to indicate whether:

- a support order in a non-Title IV-D case has a family violence indicator present; or
- a court order has been entered against a party in a domestic violence or protective action.

§§741.401-741.409 are enacted to create the Address Confidentiality Program for Victims of Domestic Violence to:

- define the offense of attempting to gain access to a program participant's actual address through fraud and to provide penalties;
- provide for the authority and guidelines for state and local agencies and other governmental entities to use a designated address;
- allow a program participant to vote by absentee ballot;

- prohibit disclosure of addresses and certain information, except under specified circumstances; and
- require immediate written notification by the Attorney General to a program participant with respect to certain disclosure of information.

§741.465 is created to make addresses, corresponding telephone numbers, and social security numbers of program participants in the Address Confidentiality Program for Victims of Domestic Violence exempt from public record requirements, with exceptions.

GEORGIA



LEGISLATURE MEETS:

Annually starting in January and normally ending in March.

DEFINITION:

§16-5-90 is amended to include establishing a pattern of harassing and intimidating behavior in the definition of stalking.

§16-5-91 is amended to include violations of permanent orders of protection in the definition of aggravated stalking.

CRIMINAL PENALTIES AND PROCEDURES:

§§16-5-90 and 16-5-91 are amended to:

- provide for a psychological evaluation and consideration of an offender's entire criminal record before sentencing for any conviction of stalking;
- authorize permanent restraining orders to protect a stalking victim and the members of the victim's immediate family; and
- authorize the court to require psychological treatment as part of the sentence.

§16-5-94 is enacted to authorize the court to issue temporary relief ex parte as well as to grant a protective order or approve a consent agreement in order to protect a petitioner or a minor of the household from stalking. The order or agreement may:

- direct a party to refrain from such conduct;
- order one party to refrain from harassing or interfering with another;
- award costs and attorney's fees to either party; and
- order either or all parties to receive appropriate psychiatric or psychological services as an additional measure to prevent the recurrence of stalking.

GEORGIA

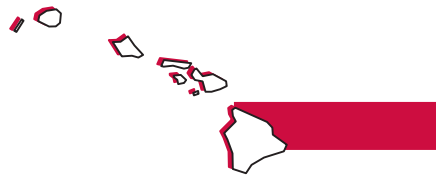


MISCELLANEOUS:

Chapter 11A of Title 15 is amended to create a pilot project that establishes the Family Court Division of the Superior Court of Fulton County in the Atlanta Judicial Circuit. The Division is to be assigned cases:

- involving divorce or issues affecting children, including domestic violence, child custody, visitation, child abuse, molestation, child support, paternity, legitimacy, adoption, abandonment, contempt, or any modification; and
- related to the same family and transferred to the Division by the superior, state, juvenile, probate, magistrate, and municipal courts.

HAWAII



LEGISLATURE MEETS:

Annually starting in January and normally ending in April.

DEFINITIONS:

§§586-1 and 709-906 are amended to include in the definition of “family and household members” persons who have a child in common.

CRIMINAL PENALTIES AND PROCEDURES:

§709-906 is amended to require a defendant to serve the mandatory minimum sentence imposed as long as the defendant may be admitted to bail pending appeal. The court may stay imposing the sentence if special circumstances exist.

MISCELLANEOUS:

§431:10-217.5 is enacted to prohibit insurance discrimination against victims of domestic abuse.

IDAHO



LEGISLATURE MEETS:

Annually starting in January and normally ending in March.

DEFINITIONS:

§18-7001 is amended to include in the crime of “malicious injury to property” injury or destruction of jointly owned property or community property.

CRIMINAL PENALTIES AND PROCEDURES:

§18-310 is amended to prohibit a person convicted of felony domestic battery from having the right to ship, transport, or possess a firearm or have firearm rights restored.

§19-5306 is amended to require a prosecuting attorney to give notice of a hearing to crime victims when release on probation is being considered following a period of retained jurisdiction.

§18-920 is amended to expand the offenses for which a court may issue a no contact order to include:

- telephone harassment;
- stalking; and
- violation of a protection order.

§18-918 is amended to enhance the penalties for committing an act of domestic assault or battery in the presence of a child. The statute defines “in the presence of a child” to include:

- physical presence of a child; or
- knowing that a child is present and may see or hear an act of domestic assault or battery.

§18-918 is amended to make infliction of traumatic injury upon a household member a felony punishable by imprisonment for up to 10 years or by a fine of not more than \$10,000 or both.

IDAHO

§18-918 is amended to require that an evaluation be obtained prior to sentencing, if possible, to determine whether a defendant should undergo aggression counseling or other appropriate treatment.

MISCELLANEOUS:

§19-3401 is amended to exempt acts of domestic violence from the civil compromise process.

§32-717A is amended to require the minor child's address to be deleted from the child's medical, dental, health, school, or educational records if requested by the custodial parent.



ILLINOIS

LEGISLATURE MEETS:

Annually beginning in January and normally ending in May or June.

DEFINITIONS:

§12-30 of the Criminal Code is amended to include in the definition of "violation of an order of protection" a violation of a valid foreign order of protection. This statute provides for a presumption of validity where an order is certified and appears authentic on its face.

CRIMINAL PENALTIES AND PROCEDURES:

§9-1 of the Criminal Code is amended to make the existence of an order of protection an aggravating factor in sentencing for first-degree murder in cases where a person against whom such an order was issued committed the murder.

§§12-3.2 and 12-30 of the Criminal Code are amended to enhance the penalties for subsequent convictions of domestic battery and violation of an order of protection.

MISCELLANEOUS:

§155.22b of the Insurance Code is enacted to:

- prohibit a company from using the fact that an applicant or insured was a victim of domestic battery as the sole basis of a rating, underwriting, or claims handling decision; and
- prohibit the insurer from refusing to pay an innocent co-insured for property damage caused by intentional acts of domestic violence.

INDIANA



LEGISLATURE MEETS:

Annually for one day in November, then convenes in January. Sessions normally end by April 30 in odd-numbered years and by March 15 in even-numbered years.

CRIMINAL PENALTIES AND PROCEDURES:

§35-33-8-3.2 is enacted to provide that the court, upon a showing of clear and convincing evidence that a defendant poses a risk of physical danger to another person or the community, may:

- require a bail bond;
- impose reasonable restrictions on the activities, movements, associations, and residence of a defendant during the period of release;
- prohibit any direct or indirect contact with an individual;
- place the defendant under reasonable supervised probation;
- release a defendant into the care of a qualified person or organization responsible for supervising the defendant and assisting the defendant to appear in court; and
- impose any other reasonable restrictions designed to assure a defendant's presence in court or the physical safety of another person or the community.

§35-33-8-5 is amended to allow the court to increase or revoke bail in cases where there is clear and convincing evidence that a defendant poses a risk to the physical safety of another person or the community. This statute prohibits the court from reducing bail under similar circumstances.

MISCELLANEOUS:

§§31-34-21-5.5 and 31-34-21-5.6 are enacted to provide that reasonable efforts to reunify or preserve a child's family are not required if the child's parent, guardian, or custodian has been convicted of certain offenses against the child or a parent of the child, including murder.

IOWA



LEGISLATURE MEETS:

Annually starting in January and ending in April or May.

CRIMINAL PENALTIES AND PROCEDURES:

§708.2A is amended to prohibit a person convicted of felony domestic abuse assault from:

- being released on parole or work release until such person has served a minimum of one year of the sentence; and
- receiving deferred sentences or deferred judgments.

§708.11 is amended to enhance the penalties for stalking in cases where a defendant is the subject of:

- a civil or criminal protective order or injunction or other court order which pertains to another person; or
- an order that pertains to the stalking victim.

§910A.11A is enacted to provide, in harassment and stalking cases, that a no-contact order:

- be issued upon the arrest of a person charged with the offense;
- prevail over any existing order which may be in conflict with the no-contact order and remain in existence until modified or terminated by subsequent court action;
- continue for five years in cases where the defendant is convicted of the charges; and
- be extended in five-year increments for an indefinite period of time.

Penalties are imposed for violation of such order.

MISCELLANEOUS:

§692.22 is enacted to require the criminal and juvenile justice agencies to collect and maintain information pertaining to stalking.

§915.50 is enacted to create the Victim Rights Act which provides for the general rights of domestic abuse victims, including:

- the right to file a pro se petition for relief from domestic abuse in the district court;
- the right for law enforcement to provide protection, assistance, information, and support; and
- the right to receive a criminal no-contact order upon a finding of probable cause.

§236.10 is amended to provide that support payment records in a domestic abuse case be released only upon request. The statute prohibits payment records to include address or location information.

§252.9 is amended to require the Federal Parent Locator Service to be notified in cases where confidential information should be protected because:

- there is a protective concern or reasonable evidence of domestic violence or child abuse, and
- disclosure of information could be harmful to the party or the child.

§252B.9A is created to prohibit the disclosure of confidential information when there is reasonable evidence of domestic violence or child abuse.

§237.8 is amended to prohibit an individual who has been convicted of felony domestic abuse from applying for and obtaining a license to be a foster parent.

LEGISLATURE MEETS:

Annually starting in January and lasting 125 to 145 calendar days.

DEFINITIONS:

§60-3102 is amended to include in the definition of “abuse” persons who have or have had a child in common.

CIVIL ORDERS FOR PROTECTION:

§60-3106 is amended to prohibit temporary orders from modifying an existing custody, residency, or visitation order unless there is a showing of good cause.

§60-3107 is amended to allow the court to issue a 60-day order restraining a party not granted possession from canceling utility service to the residence or household.

FAMILY AND CHILDREN:

§60-1610 is amended to prohibit changing custody of a minor child by an ex parte order from a parent who has had the sole de facto custody of the child to the other parent unless there is a showing of extraordinary circumstances.

MISCELLANEOUS:

§60-3104 is amended to allow disclosure of certain information only to authorized court or law enforcement personnel in cases where the court finds that such information needs to remain confidential to protect a plaintiff, plaintiff’s minor children, or minor children residing with the plaintiff.



LEGISLATURE MEETS:

On the first Tuesday after the first Monday in January of even-numbered years, may not last more than 60 legislative days, and cannot extend beyond April 15.

DEFINITIONS:

Chapter 520 is amended to create the crime of fleeing or evading police in the first degree when a person flees immediately after committing an act of domestic violence. The statute categorizes this crime as a class D felony.

CRIMINAL PENALTIES AND PROCEDURES:

§403.7529 is amended to mandate arrest for violations of a foreign protective order.

§532.025 is amended to include as an aggravating circumstance in all cases for which the death penalty is authorized the fact that an offender murdered the victim:

- when an emergency protective order or a domestic violence order was in effect; or
- when any other order designed to protect the victim from the offender was in effect.

FAMILY AND CHILDREN:

§403.270 is amended to require the court, in awarding custody:

- to give the same standing to a “de facto custodian” of a child as to the child’s parents; and
- to consider the circumstances under which the child was placed with a “de facto custodian,” including whether it was because of domestic violence.

PREVENTION AND TREATMENT:

Chapter 194A is amended to require health care or mental health professionals licensed or certified after July 15, 1996, to successfully complete a three hour training course within three

years of the date of initial licensure or certification. The training course is to include:

- dynamics of domestic violence;
- effects of domestic violence on adult and child victims;
- legal remedies for protection;
- lethality and risk issues;
- model protocols for addressing domestic violence;
- available community resources and victim services; and
- reporting requirements.

Chapter 194B is amended to require employees of the Department of Social Services who provide supervisory or direct service at the local, district, or state level and staff of agencies providing protective shelter services for victims of domestic violence to successfully complete the initial training course and, at least every two years, the continuing education course.

The courses are to include:

- dynamics of domestic violence;
- effects of domestic violence on adult and child victims;
- legal remedies for protection;
- lethality and risk issues;
- model protocols for addressing domestic violence;
- available community resources and victim services; and
- reporting requirements.

MISCELLANEOUS:

Chapters 205, 403, and 406 are amended to prohibit the disclosure of information that could be harmful to a custodial parent or a child of the parent in cases where the court or agency finds that:

- reasonable cause exists to believe evidence of domestic violence or child abuse, and
- disclosure to any person could be harmful to the parent or the child.

KENTUCKY

Subtitle 17A of Chapter 304 is amended to prohibit insurance discrimination against any person on the basis of that person's status as a victim of domestic violence and abuse. Domestic violence is not a pre-existing condition under this statute.

Chapter 620 is amended to require the court to consider evidence of domestic violence and abuse, whether or not committed in the presence of a child, in all dependency, neglect, and abuse proceedings when the court is required to make a decision in the best interest of the child. The court may consider the effectiveness of rehabilitative efforts made by a parent or caretaker intended to address the specified circumstances.

MAINE



LEGISLATURE MEETS:

Annually. The annual session starts in December following the November election in an even-numbered year and normally ends in June of the odd-numbered year. The next session starts in January of the even-numbered year and ends in April of that year.

CRIMINAL PENALTIES AND PROCEDURES:

§1173 of Title 17-A is amended to require the prosecutor to make a good faith effort to notify a victim before dismissing or filing an indictment, information, or complaint.

MISCELLANEOUS:

§3762 of Title 22 is amended to prohibit the penalty period under the TANF program from being imposed on a family that has experienced domestic violence.

MARYLAND



LEGISLATURE MEETS:

Annually beginning in January and ending in April.

CRIMINAL PENALTIES AND PROCEDURES:

§4-509 is amended to increase penalties for a second offense of violating an ex parte order or a protective order.

FAMILY AND CHILDREN:

§7-103 is amended to eliminate the one-year waiting period for a divorce for victims of domestic violence who are the object of either “cruelty of treatment” or “excessively vicious conduct” when there is no reasonable expectation of reconciliation.

MISCELLANEOUS:

§5-312 is amended to authorize a court to grant a decree of adoption in cases where there is clear and convincing evidence that a natural parent has been convicted of a crime of violence against:

- the child;
- the other natural parent of the child;
- another child of the natural parent; or
- any person who resides in the household of the natural parent.

§§5-313, 5-525.1, and 3-812.1 are amended to require a court to consider, in determining whether it is in the best interest of a child to terminate a parent’s rights, whether a natural parent has committed a crime of violence against:

- the child;
- the other natural parent of the child;
- another child of the natural parent; or
- any other person who resides in the household of the natural parent.

If the court so finds, then the court is required to determine whether or not the return of the child to the custody of the natural parent poses an unacceptable risk to the future safety of the child.



MASSACHUSETTS

LEGISLATURE MEETS:

Annually starting in January. Sessions may last until the following January.

CIVIL ORDERS FOR PROTECTION:

§131 of Chapter 140 is amended to prohibit a person from obtaining a Class A or Class B license to carry firearms, or renewal of the same, when subject to:

- an order for suspension or surrender; or
- a permanent or temporary protection order.

FAMILY AND CHILDREN:

Chapters 208 and 209 are amended to create a rebuttable presumption that it is not in the best interests of the child to be placed in sole custody, shared legal custody, or shared physical custody with the abusive parent in cases where the court finds by a preponderance of the evidence that a pattern or serious incident of abuse has occurred. The chapters require the court to enter written findings of fact as to the effects of the abuse on the child when the court:

- finds that a pattern or serious incident of abuse has occurred; and
- issues a temporary or permanent custody order.

Chapters 208 and 209 are amended to require the court to provide for the safety and well-being of a child and the safety of an abused parent when ordering visitation to the abusive parent and to permit the court to consider the following:

- supervised visitation;
- exchanging the child in a protected setting or in the presence of an appropriate third party;
- ordering the abusive parent to attend and complete a certified batter’s treatment program;
- prohibiting overnight visitation;

MASSACHUSETTS

- ordering the abusive parent to abstain from possessing or consuming alcohol or controlled substances during and 24 hours preceding visitation;
- ordering the abusive parent to pay the costs of supervised visitation; and
- requiring a bond from the abusive parent for the return and safety of the child.

MISCELLANEOUS:

§172D of Chapter 6 is created to provide that the data in the statewide domestic violence record-keeping system maintained by the commissioner of probation be made available to the IV-D agency, upon request, for purposes of establishing paternity or establishing, modifying, or enforcing child support obligations.

§5A of Chapter 119A is enacted to prohibit the IV-D agency from disclosing personal data in cases where there is reasonable evidence of risk of harm. Risk of harm includes:

- physical harm or emotional harm to a parent or a child; or
- a protective order or restraining order issued on behalf of the parent or child.



MICHIGAN

LEGISLATURE MEETS:

Sessions run for two years, starting in January in odd-numbered years and ending in December of the following even-numbered year.

DEFINITIONS:

The Penal Code and the Revised Judicature Act are amended to prescribe the penalties for certain criminal or grossly negligent acts committed against a pregnant woman that cause a miscarriage or stillbirth or harm to the embryo or fetus, with exceptions.

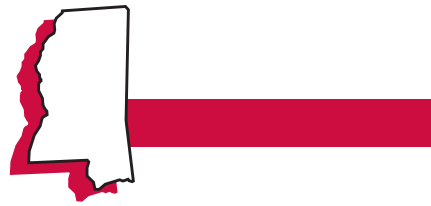
CRIMINAL PENALTIES AND PROCEDURES:

Chapters 769 and 780 are amended to allow a court to order the payment of restitution as a condition of sentencing. The court may impose imprisonment when a defendant fails to comply with the restitution order.

MISCELLANEOUS:

The Insurance Code, Public Health Code, and Nonprofit Health Care Corporation Reform Act are amended to prohibit insurance discrimination against a victim of domestic assault.

MISSISSIPPI



LEGISLATURE MEETS:

Annually, beginning in January and normally ending in April.

DEFINITIONS:

§97-3-7 is amended to create the offense of domestic violence when a person commits any assault against:

- a current or former spouse;
- an individual with whom the defendant has had a child; or
- a person living in the same household as the defendant.

CRIMINAL PENALTIES AND PROCEDURES:

§99-1-5 is amended to exempt aggravated assault and kidnapping from the general statute of limitations on crimes.

§97-3-7 is amended to enhance penalties for third or subsequent convictions of simple and aggravated assault which would constitute domestic violence, whether against the same or another victim and within five years.

§97-3-7 is amended to require a defendant to participate in counseling or treatment to bring about the cessation of domestic abuse as a condition of any suspended sentence. The court may require the defendant to pay all or part of the cost of the counseling or treatment.

Title 99 is amended to require a person charged with a misdemeanor act of domestic violence to appear before a judge before bail can be granted.

CIVIL ORDERS FOR PROTECTION:

§93-21-13 is amended to require full faith and credit to be given to domestic abuse protective orders from other jurisdictions.

MISSOURI



LEGISLATURE MEETS:

Annually beginning in early January and ending in mid-May.

DEFINITIONS:

The Criminal Code is amended to define a “persistent domestic violence offender” as a person who has been convicted of two or more domestic assault offenses within 10 years of the current offense. A “prior domestic violence offender” is defined as a person who has been convicted of one domestic assault offense within five years of the current offense.

CRIMINAL PENALTIES AND PROCEDURES:

§566.070 is amended to remove marriage as an affirmative defense to sexual assault and deviate sexual assault.

§565.070 is amended to enhance the penalty for a third or subsequent commission of the crime of assault in the third degree. The offense may be against the same family or household member or against different family or household members.

The Criminal Code is amended to require persons proven to be prior or persistent domestic violence offenders to serve a minimum of six months imprisonment before being eligible for probation or parole. The court may prohibit suspended imposition of sentence or paying of a fine in lieu of imprisonment.

The Criminal Code is amended to allow the admission into evidence of prior domestic violence convictions, if committed within five years of the offense at issue, to show a history of domestic violence.

CIVIL ORDERS FOR PROTECTION:

§452.315 is amended to allow the court to prohibit a party from harassing or abusing the other party or any child in a motion for temporary maintenance or support or by independent motion accompanied by affidavit.

FAMILY AND CHILDREN:

§452.372 is enacted such that in cases where the custody or visitation of a minor child is involved, the court is required to order all parties to an action for dissolution of marriage or legal separation:

- to attend educational sessions, and
- to participate in an alternative dispute resolution program unless good cause is shown which includes a finding of domestic violence or abuse.

§452.605 is amended to create a good cause exception from requiring a party to attend educational sessions concerning the effects of custody and the dissolution of marriage on children. A good cause exception includes a finding that attending the education sessions may endanger the safety of a party or child.

MISCELLANEOUS:

§452.377 is amended to provide that where the court finds that the health or safety of any adult or child would be unreasonably placed at risk by the disclosure of identifying information concerning a proposed relocation of the child, the court may:

- prohibit certain information from being disclosed;
- waive notice requirements; and
- provide any other remedial action necessary.

§452.377 is amended to allow a third party with a right to legal custody of or visitation with a child to file a cause of action to obtain a revised schedule but not to prevent relocation.

Chapter 595 is amended to prohibit insurance discrimination on the basis of domestic violence. Domestic violence includes physical harm and certain sexual injuries.

§§452.540 - 452.547 are enacted to require local law enforcement to make a determination and collect data on the number of homicides involving adult victims related to domestic violence.



LEGISLATURE MEETS:

Annually beginning in January. Meets for 90 legislative days in odd-numbered years, ending in May. Meets for 60 legislative days in even-numbered years, ending in April.

CRIMINAL PENALTIES AND PROCEDURES:

§42-924 is amended to provide enhanced penalties for subsequent violations of an order for protection from domestic abuse in cases where:

- a person has a prior conviction for violation of a protection order; or
- a person has a prior conviction for violation of the same protection order.

Chapter 28 is amended to authorize harassment protection orders and to provide that:

- such orders may be issued ex parte; and
- violation of a harassment order or valid foreign harassment order is grounds for warrantless arrest.

CIVIL ORDERS FOR PROTECTION:

§43-2901 is amended to allow the court to require parents to attend parenting education courses in divorce, child custody, or visitation proceedings. A party may request to attend separate courses or to attend the same course at different times in cases where violence has been present in the relationship or one party has threatened the other party with violence.

The Criminal Code is amended to require that full faith and credit be given to valid foreign protection orders related to harassment or domestic or family abuse. There is a presumption of validity when the order appears authentic on its face.

NEW HAMPSHIRE



LEGISLATURE MEETS:

Annually starting in January and lasts for 45 legislative days or until July 1, whichever comes first.

DEFINITIONS:

§§292:1 and 292:2 are amended to clarify the definition of “right of custody” in regard to the crime of custodial interference such that a parent exercising visitation rights does not have a right of primary physical custody during periods of visitation.

§§345:1 and 345:2 are amended to expand the definitions of “confidential communication” and “victim” in communications with sexual assault or domestic violence counselors to include instances of alleged stalking or sexual harassment.

MISCELLANEOUS:

§71.1 is amended to prohibit denying unemployment compensation to a person who, having made all reasonable efforts to preserve employment, leaves a job in order to obtain protection from domestic abuse.

§§118:2 - 118:5 are enacted to establish a committee to study women’s health care, including the treatment of post traumatic stress syndrome and other physical and mental problems resulting from domestic violence.

NEW JERSEY



LEGISLATURE MEETS:

Annually from January through June and from September through December.

CRIMINAL PENALTIES AND PROCEDURES:

§2C:12-10 is amended to upgrade the offenses of stalking and harassment in cases where a person commits such an offense while serving a term of imprisonment or while on parole or probation.

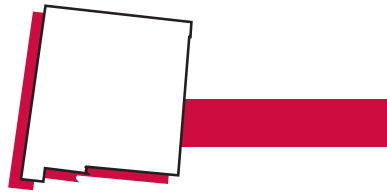
§§47:1A-2.2 and 20:4-140.1 are amended to prohibit an inmate’s access to personal identifying information of a victim or victim’s family unless the court determines that such information is necessary to assist in the inmate’s defense. An inmate may forfeit the following as a penalty for unlawfully obtaining or seeking to obtain personal identifying information:

- accumulated time credits or remissions, including commutation time for good behavior;
- progressive time credits; and
- credits for diligent application to work.

MISCELLANEOUS:

Chapters 17 and 17B are amended to prohibit group health insurance policies from denying benefits to victims of domestic violence or other persons covered.

NEW MEXICO



LEGISLATURE MEETS:

Annually starting in January. In odd-numbered years, sessions are limited to 60 calendar days, normally ending in March. In even-numbered years, sessions are limited to 30 calendar days, normally ending in February.

MISCELLANEOUS:

The New Mexico Works Act is enacted to provide that the following qualifies as temporary alternative work activities for up to 24 weeks for a victim of domestic violence:

- residing in a domestic violence shelter;
- receiving counseling or treatment; or
- participating in criminal justice activities directed at prosecuting the domestic violence perpetrator.

The act creates an exemption from the 60-month durational limit set for cash assistance and services for participants who are battered or subject to extreme cruelty.

NEW YORK



LEGISLATURE MEETS:

Annually starting in January, continuing throughout the year but normally ending in July.

CIVIL ORDERS FOR PROTECTION:

The Criminal Procedure Law, Domestic Relations Law, Executive Law, Family Court Act, and Penal Law are amended to require full faith and credit be given to valid foreign orders of protection in domestic violence cases.

FAMILY AND CHILDREN:

§1085 of the family law act and §240 of the domestic relations law are amended to prohibit the court from ordering visitation or custody to a person convicted of murder in the first or second degree of a parent, legal custodian, or legal guardian of any child who is the subject of the proceeding unless:

- the child is of suitable age and assents to visitation or custody;
- the child's custodian or legal guardian assents; or
- the convicted parent proves by a preponderance of the evidence that
 - ◇ he or she, or a family or household member of either party, was a victim of domestic violence by the murder victim and
 - ◇ the domestic violence was causally related to the murder; and
- the court finds that visitation or custody is in the best interest of the child.

Visitation with the convicted parent is prohibited without the consent of such child's custodian or guardian pending determination of a petition for visitation or custody.

NORTH CAROLINA



LEGISLATURE MEETS:

Annually. In odd-numbered years, sessions start in January and have no statutory ending date. In even-numbered years, sessions usually start in May and last for four to six weeks.

CRIMINAL PENALTIES AND PROCEDURES:

§14-18.2 is enacted to enhance the penalties imposed for injuring a pregnant woman in the commission of a felony or act of domestic violence, causing a miscarriage or stillbirth.



OHIO

LEGISLATURE MEETS:

Annually starting in January. Sessions generally end in July in odd-numbered years and in June in even-numbered years.

CIVIL ORDERS FOR PROTECTION:

§2903.214 is enacted to authorize the court to issue a civil protection order to protect a person who has been a victim of menacing by stalking.

MISCELLANEOUS:

§2307.6 is amended to bar recovery of damages in tort actions by a person who is convicted of or pleaded guilty to a misdemeanor act of violence.

OKLAHOMA



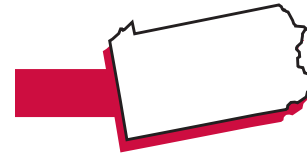
LEGISLATURE MEETS:

Annually beginning with a one-day organization session in January. The legislative session begins in February and ends in May.

MISCELLANEOUS:

The Uniform Child Custody Jurisdiction and Enforcement Act is enacted, combining rules for taking jurisdiction over child custody disputes with rules for enforcing child custody and visitation orders issued by courts of another state.

PENNSYLVANIA



LEGISLATURE MEETS:

For two years beginning in January of odd-numbered years through November of the following even-numbered year.

PREVENTION AND TREATMENT:

The Domestic Violence Health Care Response Program is enacted to:

- provide for screening of certain patients for symptoms of domestic violence;
- provide for medical advocacy projects related to domestic violence; and
- provide for health care worker training and hospital, health center, and clinic response to domestic violence victims.

The following is a brief update of some of the 1997 legislation that was not available at publication for Volume 3.

CRIMINAL PENALTIES AND PROCEDURES:

§9711 of Title 42 was amended to include as an aggravating circumstance in sentencing for first degree murder that at the time of the killing a defendant was subject to a court order relating to protection from abuse or any other order of the court designed to protect the victim from the defendant.

CIVIL ORDERS FOR PROTECTION:

§6108 of Title 23 was amended to provide that in a protection order or consent agreement to bring about the cessation of abuse, the court may require a defendant to relinquish to the sheriff any firearm license the defendant may possess.

FAMILY AND CHILDREN:

§5303 of Title 23 was amended to require the court to consider each parent and adult household member's present and past violent or abusive conduct when making an order for custody, partial custody, or visitation.

PENNSYLVANIA

§5303 of Title 23 was amended to prohibit the court from awarding custody, partial custody, or visitation to a parent convicted of murder of the other parent of the child who is the subject of the order unless the child is of suitable age and consents to the order.

MISCELLANEOUS:

§3701 of Title 23 was amended to require the court to consider abuse of one party by the other in determining the nature, amount, duration, and manner of payment of alimony.

Title 23 was amended to prohibit the disclosure of identifying information of a party or child to another party who is subject to a protective order in cases where there is reason to believe the release of the information may result in physical or emotional harm to the protected party or the child.



SOUTH CAROLINA

LEGISLATURE MEETS:

Annually starting in January and generally ending in June.

CIVIL ORDERS FOR PROTECTION:

§20-4-70 is amended to provide a minimum period of six months for the duration of an order of protection. The court may dismiss the action without a hearing if the parties reconcile.

§20-4-140 is enacted to require full faith and credit to be given to valid foreign protection orders related to domestic or family violence. The statute provides prerequisites to and procedures for enforcing such orders, including a presumption of validity, and provides for civil and criminal immunity.

§16-25-50 is amended to make the penalties for violation of an order of protection from domestic violence applicable to violations of such orders issued in foreign jurisdictions.



LEGISLATURE MEETS:

Annually starting in January. In odd-numbered years, sessions are limited to 40 legislative days and end in March. In even-numbered years, sessions are limited to 35 legislative days and end in February.

CRIMINAL PENALTIES AND PROCEDURES:

§23A-43-31 is amended to increase the penalties for a subsequent assault in violation of a court order by requiring forfeiture of any security for failure to comply with conditions of release for a person charged with domestic abuse.

§22-18-1 is amended to increase the penalty for third-offense simple assault committed within five years.

Chapter 22-6 is amended to provide that a court may order a defendant who has been found guilty of a misdemeanor or felony to make restitution to a victim.

§25-10-5.3 is enacted to require the court to order instruction on parenting as part of the suspended execution or imposition of sentence in cases where a person:

- is convicted of a crime involving domestic abuse; and
- is the parent, guardian, or custodian of a minor child who resides with that person or the victim of the crime.

MISCELLANEOUS:

Chapter 26-8A is amended to provide that the Department of Social Services is not required to reunify a child with a parent who committed a crime of homicide or rape.

Chapter 25-1 is amended to require that marriage licenses contain a statement that:

- it is a person's right to live within a marriage free from violence and abuse;
- neither is the property of the other; and
- physical abuse, sexual abuse, battery, and assault of a spouse or other family member, as well as other provisions of criminal law, are applicable to spouses and other family members and violations are punishable by law.

The applicants' signatures are required to verify that they have read and understood the statement.

Section 2 of S.B. 235 is enacted to prevent criminals from suing their victims for damages.



LEGISLATURE MEETS:

Annually starting in January for approximately 45 legislative days and ending in May.

DEFINITIONS:

§39-13-507 is amended to create the offense of aggravated spousal rape. The statute categorizes the crime as a class B felony.

§39-17-308 is amended to create a class E felony offense where a convicted criminal, while incarcerated or on pretrial diversion, probation, community correction or parole, communicates in person for no legitimate purpose with a victim of such person's crime in an anonymous, threatening, or harassing manner.

CRIMINAL PENALTIES AND PROCEDURES:

§39-13-204 is amended to permit victim impact evidence to be admissible in capital sentencing hearings.

PREVENTION AND TREATMENT:

§38-12-110 is enacted to require the State Coordinating Council to:

- promulgate regulations for batterers' intervention programs for perpetrators of domestic abuse; and
- certify compliance with such regulations.

MISCELLANEOUS:

Title 36 is amended to require the court, in determining whether or not to permit relocation of a child, to consider the best interests of the child and all relevant factors, including evidence of physical or emotional abuse to the child, to the other parent, or to any other person. A parent spending the greater amount of time with the child is permitted to relocate unless the court finds certain circumstances, including:

- a parent's motive for relocating is intended to defeat or deter visitation rights of the non-custodial parent or the parent spending less time with the child; or
- a parent wishes to relocate and take up residence with a person with a history of child or domestic abuse or who is currently abusing alcohol or other drugs.

§71-1-131 is amended to provide for confidentiality of Title IV-D records when a protective order has been entered or there is reason to believe that release of information would result in physical or emotional harm to the party or the child.

UTAH



LEGISLATURE MEETS:

Annually starting in January and ending in February. Sessions are limited to 45 calendar days.

DEFINITIONS:

§76-5-109.1 is amended to redefine the commission of domestic violence in the presence of a child as “child abuse” under certain circumstances.

MISCELLANEOUS:

§62A-4a-105 is amended to include providing protective services to victims of domestic violence and their children among the responsibilities of Division of Child and Family Services.

§§62A-4a-203.5 and 78-3a-313.5 are enacted to require the Division of Child and Family Services to file a petition for termination of parental rights when a court has determined that a parent has committed a felony assault or abuse that results in serious physical injury to another child of that parent or to the other parent of that child.

VERMONT



LEGISLATURE MEETS:

Annually from early January through late April, trying to complete its work in sixteen or seventeen weeks.

MISCELLANEOUS:

Section 121 of HB755 is enacted to provide that the State of Vermont adopts the Family Violence option of the Personal Responsibility and Work Opportunity Act of 1996.

§1213c of Title 23, Motor Vehicles, is enacted to require the court to consider any evidence of past or current domestic violence in determining whether a motion for immobilization or forfeiture would cause undue hardship to a person, other than the defendant, who is dependent on the motor vehicle for essential transportation needs.



LEGISLATURE MEETS:

Annually starting in January. Sessions run for 60 days in even-numbered years and for 45 days in odd-numbered years.

DEFINITIONS:

§18.2-119 is amended to include in the definition of “criminal trespass” violations of emergency protective orders issued in family abuse and stalking cases.

§18.2-60.4 is enacted to create the crime of violation of stalking protective orders. Prosecution of such a violation bars a finding of contempt for the same act.

CRIMINAL PENALTIES AND PROCEDURES:

§19.2-298.1 is amended to include marital sexual assault among the offenses for which registration is required.

§18.2-308.1:4 is amended to prohibit those subject to stalking protective orders from purchasing or transporting firearms.

§19.2-81.3. is amended to permit warrantless arrest for stalking.

CIVIL ORDERS FOR PROTECTION:

§16.1-253.4 is amended to allow a law enforcement officer to request an extension of an emergency protection order for an additional period of time not to exceed 72 hours after expiration of the original order in cases where a person in need of protection is physically or mentally incapable of filing a petition.

MISCELLANEOUS:

Title 63.1 is amended to prohibit:

- a person convicted of felony stalking from being eligible for licensure as a child welfare worker or for employment in a child welfare agency; and



- a person convicted of any felony within the last five years from being eligible to operate or work in a child welfare agency.

§16.1-281 is amended to authorize termination of parental rights of a parent convicted of murder or voluntary manslaughter or any felony attempt, conspiracy, or solicitation to commit such offense when the victim was:

- a child of the parent;
- a child with whom the parent resided at the time the offense occurred; or
- the other parent of the child.

WASHINGTON



LEGISLATURE MEETS:

Annually starting in January. Sessions run for 60 calendar days in even-numbered years and for 105 days in odd-numbered years.

DEFINITIONS:

§10.95.020 is amended to include as an “aggravating circumstance” for purposes of the crime of aggravated first degree murder:

- the existence of a no contact order with the victim, issued in this state or any other state; or
- a pattern or practice of harassment or criminal assault against a victim’s family or household member, regardless of whether a conviction resulted.

MISCELLANEOUS:

Chapter 48.18 is amended to prohibit insurance discrimination against victims of domestic abuse and to provide for coverage of property loss caused by an act of domestic abuse.

WEST VIRGINIA



LEGISLATURE MEETS:

Annually starting in January and ending in March. In the first year of a governor’s four-year term, the session normally ends in April.

DEFINITIONS:

§48-2a-1 is amended to expand the definitions of:

- “family or household member” to include persons who are dating or who have dated;
- “program for victims of domestic or family violence” to include licensed programs for victims and their children that provide advocacy, shelter, crisis intervention, social services, treatment, counseling, education, or training; and
- “program of intervention for perpetrators” to include licensed programs or a program that accepts perpetrators into educational intervention groups or counseling pursuant to court order or offers educational intervention groups to perpetrators.

CRIMINAL PENALTIES AND PROCEDURES:

§48-2A-14 is amended to provide that a law enforcement officer may arrest a person without first obtaining a warrant for crimes of domestic violence under certain circumstances. Officers are required to seize all weapons that are:

- alleged to have been involved or threatened to be used in the commission of domestic or family violence; or
- in plain view of the officer or discovered pursuant to a consensual search, as necessary for the protection of the officer or other persons.

CIVIL ORDERS FOR PROTECTION:

§48-2A-3 is amended to require full faith and credit to be given to valid foreign protection orders, whether or not such relief is available in West Virginia. There is a presumption of validity for a protection order if it appears authentic on its face. Foreign orders of protection are to be enforced even if the order is not entered into the state law enforcement information system.

§48-2A-3 is amended to expand the venue for an action under the Prevention and Treatment of Domestic and Family Violence article to include the county in which the petitioner is living, either temporarily or permanently.

Title 48-2A is amended to allow a person to file for a protective order who reported or was a witness to domestic or family violence and who, as a result, has been abused, threatened, harassed, or who has been the subject of other actions intended to intimidate such person.

§48-2A-6 is amended to expand the conduct prohibited by a respondent to a protective order to include harassing, stalking, threatening or otherwise intimidating or engaging in conduct that would place the petitioner, the person who reported or witnessed domestic violence, or the minor children in reasonable fear of bodily injury.

§48-2A-6 is amended to provide that the terms of a protective order may include:

- allowing either party to obtain personal property or other items from a location, including granting temporary possession of motor vehicles owned by either or both of the parties and providing for the safety of the parties while this occurs;

- prohibiting a respondent from using or possessing a firearm or other weapon, notwithstanding the fact that the respondent has a valid license to possess such firearm or other weapon;
- requiring a respondent to be informed that possession of a firearm while subject to a protection order is a violation of federal law;
- ordering a respondent to reimburse the petitioner or other person for any expenses incurred as a result of the domestic or family violence; and
- ordering petitioner and respondent to refrain from transferring, conveying, alienating, encumbering, or otherwise dealing with property which could otherwise be subject to the jurisdiction of the court or another court.

§48-2A-6 is amended to provide that the terms of a protective order for a petitioner or other person to be protected, who reported or was a witness to the family or domestic violence, may include:

- ordering a respondent to refrain from abusing, contacting, telephoning, communicating, harassing, verbally abusing, or otherwise intimidating; and
- ordering a respondent to stay away.

§48-2A-10a is amended to allow a legal guardian or guardian *ad litem* to file a petition for civil contempt alleging violation of a protective order.

§48-2A-6 is amended to require that all protective orders contain the following statement in bold faced type or in capital letters: Violation of this order may be punished by confinement in a regional or county jail for as long as one year and by a fine of as much as two thousand dollars.

FAMILY AND CHILDREN:

§48-2A-7 is enacted to require the court to find adequate provision for the safety of a child and a petitioner before awarding visitation to the perpetrator. The conditions of visitation in cases involving domestic or family violence may include:

- ordering an exchange to occur in a protected setting;
- ordering supervised visitation;
- prohibiting overnight visitation;
- ordering the perpetrator to attend and complete a batterer intervention program;
- ordering the perpetrator of domestic or family violence to abstain from possession or consumption of alcohol or controlled substances during the visitation and for the 12 hours that precede the visitation; and
- imposing any other necessary conditions.

The court may order the address of the child and the petitioner to be kept confidential.

PREVENTION AND TREATMENT:

§48-2A-1 is amended to revise the findings and purposes of the Legislature to recognize:

- domestic or family violence constitutes serious criminal behavior with potentially tragic results, often resulting in death; and
- the existence of a former or ongoing familial or other relationship does not excuse, explain, or mitigate acts of domestic or family violence.

§48-2C-4a is enacted to authorize the establishment of local advisory councils on domestic or family violence.

§48-2C-4b is enacted to require the bureau for public health of the department of health and human resources, in consultation with the family protection services board, to develop a state public health plan for reducing the incidence of domestic or family violence.

§48-2C-10a is enacted to require the bureau of public health to make available to health-care facilities and practitioners a written form notice of the rights of victims and the remedies and services available to victims of domestic or family violence. The same written notice is required to be made available to patients who exhibit injuries or conditions consistent with domestic violence.

§48-2C-13a is enacted to require the bureau of public health to publish model standards, including specialized procedures and curricula, concerning domestic or family violence for health care facilities, practitioners, and personnel.

§48-2C-13b is enacted to require the family protection services board to develop rules for the regulation of batterer intervention programs, required provisions, and duties of providers.

§48-2C-13c is enacted to require the family protection services board to establish an application for licensure for all providers of batterer intervention programs and to govern such licensure.

§48-2C-16 is enacted to require the department of health and human services to provide or require continuing education concerning domestic or family violence for:

- child protective services workers;
- adult protective services workers;
- social services workers;
- family support workers; and
- workers in the child support enforcement division.

§48-2C-17 is enacted to require that, as a condition of employment, all initial law enforcement officers receive training concerning domestic or family violence.

§48-2C-18 is enacted to require the supreme court of appeals to develop and present courses of continuing education concerning domestic or family violence for:

- court personnel;
- magistrates assistants; and
- juvenile and adult probation officers.

§48-2C-19 is enacted to require the state board of education to select or develop curricula that are appropriate for various ages for pupils concerning the dynamics of violence and prevention of violence, including domestic or family violence. The board is required also to select or develop curricula concerning domestic or family violence for:

- school counselors;
- health-care personnel;
- administrators; and
- teachers.

§48-2C-20 is enacted to require the state department of education to provide or require courses of continuing education concerning domestic or family violence for employees who are required by law to report child abuse or neglect.

§64-9-3 is amended to authorize the Governor's Committee on Crime, Delinquency and Correction to promulgate rules relating to the basic training academy and law-enforcement protocol response to domestic violence.

MISCELLANEOUS:

Article 43 is enacted to create the "Women's Access To Health Care Act" which provides that a health benefits policy providing coverage for surgical services in a hospital inpatient or outpatient setting may not deny coverage for reconstructive or cosmetic surgery required as a result of an injury caused by an act of family violence when the person inflicting the injury was convicted of a felony, a lesser included misdemeanor, or a charge of domestic battery for inflicting the injury.

WISCONSIN



LEGISLATURE MEETS:

In biennial sessions, beginning in January of an odd-numbered year and ending in January of the next odd-numbered year.

MISCELLANEOUS:

§48.415 is amended to extend the applicability of homicide of a child's other parent, as grounds for termination of parental rights, to include homicide under federal law or the law of another state that is comparable to such a homicide under the law of this state.

§48.685 is amended to prohibit a person who has committed:

- a crime against children that is a felony,
- felony spousal abuse,
- one of certain violent felonies, or
- within the last five years, a battery or a drug-related offense from demonstrating that he or she has been rehabilitated for purposes of licensing a foster home or treatment foster home.

STATE DOMESTIC VIOLENCE COALITIONS

Alabama Coalition Against Domestic Violence
(334) 832-4842

Alaska Network on Domestic Violence and Sexual Assault
(907) 586-3650

Arizona Coalition Against Domestic Violence
(602) 279-2900

Arkansas Coalition Against Domestic Violence
(501) 812-0571

California Alliance Against Domestic Violence
(916) 444-7163

Colorado Coalition Against Domestic Violence
(303) 831-9632

Connecticut Coalition Against Domestic Violence
(860) 282-7899

Delaware Coalition Against Domestic Violence
(302) 658-2958

District of Columbia Coalition Against Domestic Violence
(202) 783-5332

Florida Coalition Against Domestic Violence
(850) 425-2749

Georgia Coalition on Family Violence, Inc.
(770) 984-0085

Hawaii State Coalition Against Domestic Violence
(808) 486-5072

Idaho Coalition Against Sexual and Domestic Violence
(208) 384-0419

Illinois Coalition Against Domestic Violence
(217) 789-2830

Indiana Coalition Against Domestic Violence
(317) 543-3908

Iowa Coalition Against Domestic Violence
(515) 244-8028

Kansas Coalition Against Sexual and Domestic Violence
(913) 232-9784

Kentucky Domestic Violence Association
(502) 875-4132

STATE DOMESTIC VIOLENCE COALITIONS

Louisiana Coalition Against Domestic Violence
(225) 752-1296

Maine Coalition for Family Crisis Services
(207) 941-1194

Maryland Network Against Domestic Violence
(301) 352-4574

Massachusetts Coalition of Battered Women Service Groups
(617) 248-0922 x205

Michigan Coalition Against Domestic and Sexual Violence
(517) 347-7000

Minnesota Coalition for Battered Women
(651) 646-6177

Mississippi Coalition Against Domestic Violence
(601) 981-9196

Missouri Coalition Against Domestic Violence
(573) 634-4161

Montana Coalition Against Domestic and Sexual Violence
(406) 443-7794

Nebraska Domestic Violence and Sexual Assault Coalition
(402) 476-6256

Nevada Network Against Domestic Violence
(775) 828-1115

New Hampshire Coalition Against Domestic and Sexual Violence
(603) 224-8893

New Jersey Coalition For Battered Women
(609) 584-8107

New Mexico Coalition Against Domestic Violence
(505) 246-9240

New York State Coalition Against Domestic Violence
(518) 432-4864

North Carolina Coalition Against Domestic Violence
(919) 956-9124

North Dakota Council on Abused Women's Services
(701) 255-6240

Ohio Domestic Violence Network
(614) 784-0023

STATE DOMESTIC VIOLENCE COALITIONS

Oklahoma Coalition on Domestic Violence and Sexual Assault
(405) 848-1815

Oregon Coalition Against Domestic and Sexual Violence
(503) 223-7411

Pennsylvania Coalition Against Domestic Violence
(717) 545-6400

Rhode Island Coalition Against Domestic Violence
(401) 467-9940

South Carolina Coalition Against Domestic Violence and Sexual Assault
(803) 256-2900

South Dakota Coalition Against Domestic Violence and Sexual Assault
(605) 945-0869

Tennessee Task Force Against Domestic Violence
(615) 386-9406

Texas Council on Family Violence
(800) 525-1978

Utah Domestic Violence Advisory Council
(801) 538-9886

Vermont Network Against Domestic Violence and Sexual Assault
(802) 223-1302

Virginians Against Domestic Violence
(757) 221-0990

Washington State Coalition Against Domestic Violence
(360) 407-0756

West Virginia Coalition Against Domestic Violence
(304) 965-3552

Wisconsin Coalition Against Domestic Violence
(608) 255-0539

Wyoming Coalition Against Domestic Violence and Sexual Assault
(307) 755-5481

STATE LEGISLATIVE CONTACTS

Alabama Legislative Reference Service
(334) 242-7560

Alaska Legislative Affairs Agency
(907) 465-4648

Arizona Legislative Council
(602) 542-4236

Arkansas Bureau of Legislative Research
(501) 682-1937

California Office of the Chief Clerk of the Assembly
(916) 445-3614

California Office of the Chief Clerk of the Senate
(916) 445-4251

Colorado Legislative Council
(303) 866-3521

Connecticut Law and Legislative Reference Section, State Library
(860) 566-4544

Delaware Division of Research, Legislative Council
(302) 739-4114

District of Columbia Office of the Secretary, Council of the District of Columbia
(202) 724-8080

Florida Division of Library and Information Services, Legislative Library Services
(850) 488-2812

Georgia Office of the Clerk of the House of Representatives
(404) 656-5015

Georgia Office of the Secretary of the Senate
(404) 656-5040

Hawaii Legislative Reference Bureau
(808) 587-0666

Idaho Legislative Library
(208) 334-2475

Illinois Legislative Research Unit
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Indiana Office of Legislative Information
(317) 232-9856

STATE LEGISLATIVE CONTACTS

**Iowa Legislative
Information Office**
(515) 281-5129

**Kansas Division of Legislative
Administrative Services**
(785) 296-2391

**Kentucky Legislative
Research Commission**
(502) 564-8100

**Louisiana Legislative
Research Library**
(504) 342-2434

**Maine Law and Legislative
Reference Library**
(207) 287-1600

**Maryland Department of
Legislative Services**
(410) 946-5400

**Massachusetts Office of the Clerk
of the House of Representatives**
(617) 722-2356

**Massachusetts Office of the
Clerk of the Senate**
(617) 722-1276

Michigan Clerk of the House
(517) 373-0135

Michigan Secretary of the Senate
(517) 373-2400

**Minnesota House Public
Information Office**
(651) 296-2146

**Minnesota Senate
Information Office**
(651) 296-0504

**Mississippi House of
Representatives**
(601) 359-3358

**Missouri Legislative Library,
Committee on Legislative
Research**
(573) 751-4633

**Montana Legislative
Services Division**
(406) 444-3064

Nebraska Clerk of the Legislature
(402) 471-2271

**Nevada Legislative Council
Bureau**
(775) 687-6800

**New Hampshire Reference and
Information Services**
(603) 271-2239

STATE LEGISLATIVE CONTACTS

**New Jersey Legislative
Information and Bill Room**
(609) 292-4840

**New Mexico Legislative
Council Service**
(505) 986-4600

**New York Assembly Public
Information Office**
(518) 455-4218

**New York Office of the
Secretary of the Senate**
(518) 455-2051

**North Carolina Legislative
Library**
(919) 733-7778

North Dakota Legislative Council
(701) 328-2916

**Ohio Legislative
Service Commission**
(614) 466-5312

**Oklahoma Legislative Reference
Division, Oklahoma Department
of Libraries**
(405) 521-2502 (ext. 274)

**Oregon Administrator's
Office, Legislative
Administration
Committee**
(503) 986-1848

**Pennsylvania Library, Legislative
Reference Bureau**
(717) 787-4816

**Rhode Island Legislative
Reference, State Library**
(401) 277-2473

**South Carolina Legislative
Council**
(803) 734-2145

**South Dakota Legislative
Research Council**
(605) 773-3251

**Tennessee Office of Legislative
Information Services**
(615) 741-3511

**Texas Legislative Reference
Library**
(512) 463-1252

**Utah Office of Legislative
Research and General Counsel**
(801) 538-1032

STATE LEGISLATIVE CONTACTS

Vermont Legislative Council
(802) 828-2231

**Virginia Legislative
Information Office**
(804) 698-1500

**Washington Office of the
Clerk of the House**
(360) 786-7750

**Washington Office of the
Secretary of the Senate**
(360) 786-7550

**West Virginia Office of
Legislative Services**
(304) 347-4800

**Wisconsin Legislative
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(608) 266-0341

**Wyoming Legislative
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(307) 777-7881

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