

read as follows: “Not less than 5 percent of the total amount made available for grants under this section for each fiscal year shall be available for grants to Indian tribal governments.”

2000—Subsec. (a). Pub. L. 106-386, §1102(b)(1), inserted “State and local courts (including juvenile courts), tribal courts,” after “Indian tribal governments,”.

Subsec. (b). Pub. L. 106-386, §1102(b)(2)(A), inserted “State and local courts (including juvenile courts),” after “Indian tribal governments” in introductory provisions.

Subsec. (b)(2). Pub. L. 106-386, §§1102(b)(2)(B), 1109(c)(1), substituted “policies, educational programs, and” for “policies and” and inserted “and dating violence” before period at end.

Subsec. (b)(3), (4). Pub. L. 106-386, §1102(b)(2)(C), (D), inserted “parole and probation officers,” after “prosecutors,”.

Subsec. (b)(5). Pub. L. 106-386, §§1109(c)(2), 1512(b), inserted “and dating violence, including strengthening assistance to such victims in immigration matters” before period at end.

Subsec. (b)(6). Pub. L. 106-386, §1101(a)(2)(A), inserted “(including juvenile courts)” after “courts”.

Subsec. (b)(7). Pub. L. 106-386, §1101(a)(2)(B), added par. (7).

Subsec. (b)(8). Pub. L. 106-386, §1209(b), added par. (8).

Subsec. (c). Pub. L. 106-386, §1102(b)(3), inserted “State and local courts (including juvenile courts),” after “Indian tribal governments” in introductory provisions.

Subsec. (c)(4). Pub. L. 106-386, §1101(b)(2)(A), added par. (4) and struck out former par. (4) which read as follows: “certify that their laws, policies, or practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, that the abused bear the costs associated with the filing of criminal charges or the service of such charges on an abuser, or that the abused bear the costs associated with the issuance or service of a warrant, protection order, or witness subpoena.”

Subsec. (d). Pub. L. 106-386, §1101(b)(2)(B), added subsec. (d).

Subsec. (e). Pub. L. 106-386, §1102(b)(4), added subsec. (e).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by sections 102(b) (except the amendment to subsec. (d) of this section included in that section) and 906(c) of Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 10261 of this title.

§ 10462. Applications

(a) Application

An eligible grantee shall submit an application to the Attorney General that—

(1) contains a certification by the chief executive officer of the State, Indian tribal government, court, or local government entity that the conditions of section 10461(c) of this title are met or will be met within the later of—

(A) the period ending on the date on which the next session of the State or Indian tribal legislature ends; or

(B) 2 years of September 13, 1994 or, in the case of the condition set forth in subsection¹ 10461(c)(4)² of this title, the expiration of the 2-year period beginning on October 28, 2000;

(2) describes plans to further the purposes stated in section 10461(a) of this title;

(3) identifies the agency or office or groups of agencies or offices responsible for carrying out the program; and

(4) includes documentation from victim service providers and, as appropriate, population specific organizations demonstrating their participation in developing the application, and identifying such programs in which such groups will be consulted for development and implementation.

(b) Priority

In awarding grants under this subchapter, the Attorney General shall give priority to applicants that—

(1) do not currently provide for centralized handling of cases involving domestic violence, dating violence, sexual assault, or stalking by police, prosecutors, and courts;

(2) demonstrate a commitment to strong enforcement of laws, and prosecution of cases, involving domestic violence, dating violence, sexual assault, or stalking, including the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions);

(3) have established cooperative agreements or can demonstrate effective ongoing collaborative arrangements with neighboring jurisdictions to facilitate the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions); and

(4) in applications describing plans to further the purposes stated in paragraph (4) or (7) of section 10461(b) of this title, will give priority to using the grant to develop and install data collection and communication systems, including computerized systems, and training on how to use these systems effectively to link police, prosecutors, courts, and tribal jurisdictions for the purpose of identifying and tracking protection orders and violations of protection orders, in those jurisdictions where such systems do not exist or are not fully effective.

(c) Dissemination of information

The Attorney General shall annually compile and broadly disseminate (including through electronic publication) information about successful data collection and communication systems that meet the purposes described in this section. Such dissemination shall target States, State and local courts, Indian tribal governments, and units of local government.

(Pub. L. 90-351, title I, §2102, as added Pub. L. 103-322, title IV, §40231(a)(3), Sept. 13, 1994, 108 Stat. 1933; amended Pub. L. 106-386, div. B, title I, §1101(a)(3), (b)(3), Oct. 28, 2000, 114 Stat. 1492, 1493; Pub. L. 109-162, title I, §102(c), Jan. 5, 2006,

¹ So in original. Probably should be “section”.

² See References in Text note below.

119 Stat. 2977; Pub. L. 113-4, title I, §102(a)(2), Mar. 7, 2013, 127 Stat. 72.)

Editorial Notes

REFERENCES IN TEXT

Subsection 10461(c)(4) of this title, referred to in subsec. (a)(1)(B), which probably should be a reference to “section 10461(c)(4) of this title”, was redesignated section 10461(c)(1)(D) of this title by Pub. L. 113-4, title I, §102(a)(1)(B)(vi), Mar. 7, 2013, 127 Stat. 72.

CODIFICATION

Section was formerly classified to section 3796hh-1 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

AMENDMENTS

2013—Subsec. (a)(1). Pub. L. 113-4, §102(a)(2)(A), inserted “court,” after “tribal government,” in introductory provisions.

Subsec. (a)(4). Pub. L. 113-4, §102(a)(2)(B), substituted “victim service providers and, as appropriate, population specific organizations” for “nonprofit, private sexual assault and domestic violence programs”.

2006—Subsec. (b)(1), (2). Pub. L. 109-162 inserted “, dating violence, sexual assault, or stalking” after “involving domestic violence”.

2000—Subsec. (a)(1)(B). Pub. L. 106-386, §1101(b)(3), inserted before semicolon “or, in the case of the condition set forth in subsection 3796hh(c)(4) of this title, the expiration of the 2-year period beginning on October 28, 2000”.

Subsec. (b)(1). Pub. L. 106-386, §1101(a)(3)(A)(i), struck out “and” at the end.

Subsec. (b)(2). Pub. L. 106-386, §1101(a)(3)(A)(ii), substituted “, including the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions);” for period at end.

Subsec. (b)(3), (4). Pub. L. 106-386, §1101(a)(3)(A)(iii), added pars. (3) and (4).

Subsec. (c). Pub. L. 106-386, §1101(a)(3)(B), added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 10261 of this title.

§ 10462a. Grants to State and Tribal courts to implement protection order pilot programs

(a) Definition of eligible entity

In this section, the term “eligible entity” means a State or Tribal court that is part of a multidisciplinary partnership that includes, to the extent practicable—

- (1) a State, Tribal, or local law enforcement agency;
- (2) a State, Tribal, or local prosecutor’s office;
- (3) a victim service provider or State or Tribal domestic violence coalition;
- (4) a provider of culturally specific services;

(5) a nonprofit program or government agency with demonstrated experience in providing legal assistance or legal advice to victims of domestic violence and sexual assault;

(6) the bar association of the applicable State or Indian Tribe;

(7) the State or Tribal association of court clerks;

(8) a State, Tribal, or local association of criminal defense attorneys;

(9) not fewer than 2 individuals with expertise in the design and management of court case management systems and systems of integration;

(10) not fewer than 2 State or Tribal court judges with experience in—

- (A) the field of domestic violence; and
- (B) issuing protective orders; and

(11) a judge assigned to the criminal docket of the State or Tribal court.

(b) Grants authorized

(1) In general

The Attorney General shall make grants to eligible entities to carry out the activities described in subsection (c) of this section.

(2) Number

The Attorney General may award not more than 10 grants under paragraph (1).

(3) Amount

The amount of a grant awarded under paragraph (1) may be not more than \$1,500,000.

(c) Mandatory activities

(1) In general

An eligible entity that receives a grant under this section shall use the grant funds, in consultation with the partners of the eligible entity described in subsection (a), to—

(A) develop and implement a program for properly and legally serving protection orders through electronic communication methods to—

(i) modernize the service process and make the process more effective and efficient;

(ii) provide for improved safety of victims; and

(iii) make protection orders enforceable as quickly as possible;

(B) develop best practices relating to the service of protection orders through electronic communication methods;

(C) ensure that the program developed under subparagraph (A) complies with due process requirements and any other procedures required by law or by a court; and

(D) implement any technology necessary to carry out the program developed under subparagraph (A), such as technology to verify and track the receipt of a protection order by the intended party.

(2) Timeline

An eligible entity that receives a grant under this section shall—

(A) implement the program required under paragraph (1)(A) not later than 2 years after the date on which the eligible entity receives the grant; and