

(1) a State court that serves a population of not fewer than 1,000,000 individuals;

(2) a State court that—

(A) serves a State that is among the 7 States with the lowest population density in the United States; and

(B) has a relatively low rate of successful service with respect to protection orders, as determined by the Attorney General;

(3) a State court that—

(A) serves a State that is among the 7 States with the highest population density in the United States; and

(B) has a relatively low rate of successful service with respect to protection orders, as determined by the Attorney General;

(4) a court that uses an integrated, statewide case management system;

(5) a court that uses a standalone case management system;

(6) a Tribal court; and

(7) a court that primarily serves a culturally specific and underserved population.

(e) Application

(1) In general

An eligible entity desiring a grant under this section shall submit to the Attorney General an application that includes—

(A) a description of the process that the eligible entity uses for service of protection orders at the time of submission of the application;

(B) to the extent practicable, statistics relating to protection orders during the 3 calendar years preceding the date of submission of the application, including rates of—

- (i) successful service; and
- (ii) enforcement;

(C) an initial list of the entities serving as the partners of the eligible entity described in subsection (a); and

(D) any other information the Attorney General may reasonably require.

(2) No other application required

An eligible entity shall not be required to submit an application under section 10462 of this title to receive a grant under this section.

(f) Report to Attorney General

(1) Initial report

Not later than 2 years after the date on which an eligible entity receives a grant under this section, the eligible entity shall submit to the Attorney General a report that details the plan of the eligible entity for implementation of the program under subsection (c).

(2) Subsequent reports

(A) In general

Not later than 1 year after the date on which an eligible entity implements a program under subsection (c), and not later than 2 years thereafter, the eligible entity shall submit to the Attorney General a report that describes the program, including, with respect to the program—

- (i) the viability;
- (ii) the cost;

(iii) service statistics;

(iv) the challenges;

(v) an analysis of the technology used to fulfill the goals of the program;

(vi) an analysis of any legal or due process issues resulting from the electronic service method described in subsection (c)(1)(A); and

(vii) best practices for implementing such a program in other similarly situated locations.

(B) Contents of final report

An eligible entity shall include in the second report submitted under subparagraph (A) recommendations for—

(i) future nationwide implementation of the program implemented by the eligible entity; and

(ii) usage of electronic service, similar to the service used by the eligible entity, for other commonly used court orders, including with respect to viability and cost.

(g) No regulations or guidelines required

Notwithstanding section 10464 of this title, the Attorney General shall not be required to publish regulations or guidelines implementing this section.

(h) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal years 2023 through 2027.

(Pub. L. 90-351, title I, §2103, as added Pub. L. 117-103, div. W, title XV, §1506(2), Mar. 15, 2022, 136 Stat. 957.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2103 of Pub. L. 90-351 was renumbered section 2104 and is classified to section 10463 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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 a note under section 6851 of Title 15, Commerce and Trade.

§ 10463. Reports

Each grantee receiving funds under this subchapter shall submit a report to the Attorney General evaluating the effectiveness of projects developed with funds provided under this subchapter and containing such additional information as the Attorney General may prescribe.

(Pub. L. 90-351, title I, §2104, formerly §2103, as added Pub. L. 103-322, title IV, §40231(a)(3), Sept. 13, 1994, 108 Stat. 1933; renumbered §2104, Pub. L. 117-103, div. W, title XV, §1506(1), Mar. 15, 2022, 136 Stat. 956.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796hh-2 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 2104 of Pub. L. 90-351 was renumbered section 2105 and is classified to section 10464 of this title.

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.

§ 10464. Regulations or guidelines

Not later than 120 days after September 13, 1994, the Attorney General shall publish proposed regulations or guidelines implementing this subchapter. Not later than 180 days after September 13, 1994, the Attorney General shall publish final regulations or guidelines implementing this subchapter.

(Pub. L. 90-351, title I, §2105, formerly §2104, as added Pub. L. 103-322, title IV, §40231(a)(3), Sept. 13, 1994, 108 Stat. 1933; renumbered §2105, Pub. L. 117-103, div. W, title XV, §1506(1), Mar. 15, 2022, 136 Stat. 956.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796hh-3 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 2105 of Pub. L. 90-351 was renumbered section 2106 and is classified to section 10465 of this title.

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.

§ 10465. Definitions and grant conditions

In this subchapter the definitions and grant conditions in section 12291 of this title shall apply.

(Pub. L. 90-351, title I, §2106, formerly §2105, 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, §1109(a)(2), Oct. 28, 2000, 114 Stat. 1503; Pub. L. 109-162, §3(c)(2), Jan. 5, 2006, 119 Stat. 2972; renumbered §2106, Pub. L. 117-103, div. W, title XV, §1506(1), Mar. 15, 2022, 136 Stat. 956.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796hh-4 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 2106 of Pub. L. 90-351 was classified to section 3796hh-5 of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 109-271, §2(f)(2), Aug. 12, 2006, 120 Stat. 752.

AMENDMENTS

2006—Pub. L. 109-162 amended section generally. Prior to amendment, section consisted of pars. (1) to (3) defining for purposes of this subchapter “domestic violence”, “protection order”, and “dating violence”.

2000—Par. (3). Pub. L. 106-386 added par. (3).

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.

SUBCHAPTER XXI—MENTAL HEALTH
COURTS**§ 10471. Grant authority**

The Attorney General shall make grants to States, State courts, local courts, units of local government, and Indian tribal governments, acting directly or through agreements with other public or nonprofit entities, for not more than 100 programs that involve—

(1) continuing judicial supervision, including periodic review, over preliminarily qualified offenders with mental illness, mental retardation, or co-occurring mental illness and substance abuse disorders, who are charged with misdemeanors or nonviolent offenses; and

(2) the coordinated delivery of services, which includes—

(A) specialized training of law enforcement and judicial personnel to identify and address the unique needs of a mentally ill or mentally retarded offender;

(B) voluntary outpatient or inpatient mental health treatment, in the least restrictive manner appropriate, as determined by the court, that carries with it the possibility of dismissal of charges or reduced sentencing upon successful completion of treatment, or court-ordered assisted outpatient treatment when the court has determined such treatment to be necessary;

(C) centralized case management involving the consolidation of all of a mentally ill or mentally retarded defendant’s cases, including violations of probation, and the coordination of all mental health treatment plans and social services, including life skills training, such as housing placement, vocational training, education, job placement, health care, and relapse prevention for each participant who requires such services; and

(D) continuing supervision of treatment plan compliance for a term not to exceed the maximum allowable sentence or probation for the charged or relevant offense and, to the extent practicable, continuity of psychiatric care at the end of the supervised period.

(Pub. L. 90-351, title I, §2201, as added Pub. L. 106-515, §3(a), Nov. 13, 2000, 114 Stat. 2399; amended Pub. L. 114-255, div. B, title XIV, §14002(a), Dec. 13, 2016, 130 Stat. 1288.)