

§ 10603c. Transferred

Editorial Notes

CODIFICATION

Section 10603c was editorially reclassified as section 20106 of Title 34, Crime Control and Law Enforcement.

§ 10603d. Transferred

Editorial Notes

CODIFICATION

Section 10603d was editorially reclassified as section 20107 of Title 34, Crime Control and Law Enforcement.

§ 10603e. Transferred

Editorial Notes

CODIFICATION

Section 10603e was editorially reclassified as section 20108 of Title 34, Crime Control and Law Enforcement.

§ 10603f. Transferred

Editorial Notes

CODIFICATION

Section 10603f was editorially reclassified as section 20109 of Title 34, Crime Control and Law Enforcement.

§ 10604. Transferred

Editorial Notes

CODIFICATION

Section 10604 was editorially reclassified as section 20110 of Title 34, Crime Control and Law Enforcement.

Statutory Notes and Related Subsidiaries

REPORTS ON AMOUNTS RECEIVED AND DISTRIBUTED FROM FINES FOR VIOLATIONS OF TRADE SECRETS PROVISIONS

Pub. L. 104-294, title I, §101(c), Oct. 11, 1996, 110 Stat. 3491, required the Attorney General to report to Congress no later than 2 years and 4 years after Oct. 11, 1996, on fines for offenses under chapter 90 of title 18 deposited in the Crime Victims Fund.

§ 10605. Transferred

Editorial Notes

CODIFICATION

Section 10605 was editorially reclassified as section 20111 of Title 34, Crime Control and Law Enforcement.

§ 10606. Repealed. Pub. L. 108-405, title I, § 102(c), Oct. 30, 2004, 118 Stat. 2264

Section, Pub. L. 101-647, title V, §502, Nov. 29, 1990, 104 Stat. 4820, related to rights of crime victims. See section 3771 of Title 18, Crimes and Criminal Procedure.

§ 10607. Transferred

Editorial Notes

CODIFICATION

Section 10607 was editorially reclassified as section 20141 of Title 34, Crime Control and Law Enforcement.

§ 10608. Transferred

Editorial Notes

CODIFICATION

Section 10608 was editorially reclassified as section 20142 of Title 34, Crime Control and Law Enforcement.

§ 10609. Transferred

Editorial Notes

CODIFICATION

Section 10609 was editorially reclassified as section 20144 of Title 34, Crime Control and Law Enforcement.

CHAPTER 113—STATE JUSTICE INSTITUTE

Sec.

- 10701. Definitions.
- 10702. Establishment of Institute; duties.
- 10703. Board of Directors.
- 10704. Officers and employees.
- 10705. Grants and contracts.
- 10706. Limitations on grants and contracts.
- 10707. Restrictions on activities of Institute.
- 10708. Administrative provisions.
- 10709. Presidential coordination.
- 10710. Records and reports.
- 10711. Audits.
- 10712. Report by Attorney General.
- 10713. Authorization of appropriations.

§ 10701. Definitions

As used in this chapter, the term—

- (1) “Board” means the Board of Directors of the Institute;
- (2) “Director” means the Executive Director of the Institute;
- (3) “Governor” means the Chief Executive Officer of a State;
- (4) “Institute” means the State Justice Institute;
- (5) “recipient” means any grantee, contractor, or recipient of financial assistance under this chapter;
- (6) “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States;
- (7) “Supreme Court” means the highest appellate court within a State unless, for the purposes of this chapter, a constitutionally or legislatively established judicial council acts in place of that court; and
- (8) “domestic violence” means—
 - (A) any action that constitutes—
 - (i) attempting to cause or intentionally, knowingly, or recklessly causing bodily injury or physical illness;
 - (ii) rape, sexual assault, or causing involuntary deviate sexual intercourse;
 - (iii) placing by physical menace another in fear of imminent serious bodily injury; or
 - (iv) the infliction of false imprisonment;

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

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

(Pub. L. 98-620, title II, §202, Nov. 8, 1984, 98 Stat. 3336; Pub. L. 102-528, §1, Oct. 27, 1992, 106 Stat. 3461.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 98-620, Nov. 8, 1984, 98 Stat. 3336, known as the State Justice Institute Act of 1984, which is classified principally to this chapter. For complete classification of title II to the Code, see Short Title note below and Tables.

AMENDMENTS

1992—Par. (8). Pub. L. 102-528 added par. (8).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 98-620, title II, §216, Nov. 8, 1984, 98 Stat. 3346, provided that: “The provisions of this title [enacting this chapter and amending section 620 of Title 28, Judiciary and Judicial Procedure] shall take effect on October 1, 1985.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-372, §1, Oct. 25, 2004, 118 Stat. 1754, provided that: “This Act [amending sections 3793, 10703, 10704, and 10713 of this title] may be cited as the ‘State Justice Institute Reauthorization Act of 2004.’”

SHORT TITLE

Pub. L. 98-620, title II, §201, Nov. 8, 1984, 98 Stat. 3336, provided that: “This title [enacting this chapter and amending section 620 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘State Justice Institute Act of 1984.’”

Executive Documents

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 10702. Establishment of Institute; duties**(a) Establishment; purpose; incorporation; powers**

There is established a private nonprofit corporation which shall be known as the State Justice Institute. The purpose of the Institute shall be to further the development and adoption of improved judicial administration in State courts in the United States. The Institute may be incorporated in any State pursuant to section 10703(a)(6) of this title. To the extent consistent with the provisions of this chapter, the Institute may exercise the powers conferred upon a nonprofit corporation by the laws of the State in which it is incorporated.

(b) Duties

The Institute shall—

(1) direct a national program of assistance designed to assure each person ready access to a fair and effective system of justice by providing funds to—

- (A) State courts;
- (B) national organizations which support and are supported by State courts; and
- (C) any other nonprofit organization that will support and achieve the purposes of this chapter;

(2) foster coordination and cooperation with the Federal judiciary in areas of mutual concern;

(3) promote recognition of the importance of the separation of powers doctrine to an independent judiciary; and

(4) encourage education for judges and support personnel of State court systems through national and State organizations, including universities.

(c) Duplication of functions; responsibility of State agencies

The Institute shall not duplicate functions adequately performed by existing nonprofit organizations and shall promote, on the part of agencies of State judicial administration, responsibility for the success and effectiveness of State court improvement programs supported by Federal funding.

(d) Maintenance of offices in State of incorporation; agent for receipt of service of process

The Institute shall maintain its principal offices in the State in which it is incorporated and shall maintain therein a designated agent to accept service of process for the Institute. Notice to or service upon the agent shall be deemed notice to or service upon the Institute.

(e) Tax status of Institute and programs assisted thereby

The Institute, and any program assisted by the Institute, shall be eligible to be treated as an organization described in section 170(c)(2)(B) of title 26 and as an organization described in section 501(c)(3) of title 26 which is exempt from taxation under section 501(a) of title 26. If such treatments are conferred in accordance with the provisions of title 26, the Institute, and programs assisted by the Institute, shall be subject to all provisions of title 26 relevant to the conduct of organizations exempt from taxation.

(f) Rules, regulations, etc.; notice and comment

The Institute shall afford notice and reasonable opportunity for comment to interested parties prior to issuing rules, regulations, guidelines, and instructions under this chapter, and it shall publish in the Federal Register all rules, regulations, guidelines, and instructions.

(Pub. L. 98-620, title II, §203, Nov. 8, 1984, 98 Stat. 3336; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100-690, title VII, §7321(b)(1), Nov. 18, 1988, 102 Stat. 4466; Pub. L. 100-702, title VI, §601, Nov. 19, 1988, 102 Stat. 4652; Pub. L. 102-528, §3(1), Oct. 27, 1992, 106 Stat. 3462.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (b)(1)(C), and (f), was in the original “this title”, meaning title II of Pub. L. 98-620, Nov. 8, 1984, 98 Stat. 3336, known as the State Justice Institute Act of 1984, which is classified principally to this chapter. For complete classification of title II to the Code, see Short Title note set out under section 10701 of this title and Tables.

AMENDMENTS

1992—Subsec. (f). Pub. L. 102-528 struck out at end “The publication of a substantive rule shall not be made less than thirty days before the effective date of such rule, except as otherwise provided by the Institute for good cause found and published with the rule.”

1988—Subsec. (f). Pub. L. 100-690 and Pub. L. 100-702 made substantially identical amendments, striking out