

TO: Tom Friedman
FROM: Kate Scheeler/Jim Kessler
DATE: November 14, 1997
RE: Child Custody and Domestic Violence

456-7431

The following are bipartisan, Rep. Schumer-Rep. Morella bills that have been introduced or are awaiting introduction on domestic violence and child custody.

Safe Havens for Children (Rep. Schumer, Rep. Morella, Sen. Durbin, Sen. Wellstone)

Court-ordered custody visits are often violent, providing a batterer with the opportunity to abuse his spouse and/or child. Supervised visitation centers provide safety for both mother and child when judges grant batterers visitation rights. Specifically, the bill provides grants to states to provide increased access to supervised visitation centers.

Concurrent Resolution on Domestic Violence and Children (Rep. Schumer, Rep. Morella)

Mothers are at the mercy of judges in child custody cases and often find themselves facing judges and social welfare workers who either do not understand the relationship between spousal abuse and child abuse or ignore mothers' charges of abuse. The Concurrent Resolution documents the problem of domestic violence and child custody and calls on states to reform their laws.

Family Safety Act (not introduced, Rep. Schumer, Rep. Morella)

All too often battered women are forced to cross state lines (and break the law) when they flee with their children from spousal abuse in the violation of a child custody court order. This bill amends the criminal component of the Parental Kidnapping Act to provide a domestic violence defense. It also amends the civil full faith and credit provisions of PKA to include domestic violence as a factor in determining what state has jurisdiction of a custody case and authorizes a study of divorce and child custody cases where domestic violence is a factor.

Domestic Violence, Child Custody, and Child Protection (not introduced, Rep. Schumer, Rep. Morella)

This bill increases resources and adds mandates for domestic violence training for Child Protection Services workers and includes domestic violence training as an authorized training expense for foster care systems. The bill provides new guidelines and training mandates for guardians ad litem, encourages states to adopt an affirmative defense to a parent for good faith failure to comply with a custody order when necessary to protect the child.