

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 530
HOUSE BILL 791

AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND CUSTODY JUDGMENTS WHILE ON APPEAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 50-13.4(f)(9) is rewritten to read as follows:

"(9) An order for the periodic payments of child support is enforceable by proceedings for civil contempt, and its disobedience may be punished by proceedings for criminal contempt, as provided in Chapter 5A of the General Statutes.

Notwithstanding the provisions of G.S. 1-294, an order for the payment of child support which has been appealed to the Appellate Division is enforceable in the trial court by proceedings for civil contempt during the pendency of the appeal. Upon motion of an aggrieved party, the Court of the Appellate Division in which the appeal is pending may stay any order for civil contempt entered for child support until the appeal is decided, if justice requires."

Sec. 2. G.S. 50-13.3(a) is rewritten to read as follows:

"(a) An order providing for the custody of a minor child is enforceable by proceedings for civil contempt, and its disobedience may be punished by proceedings for criminal contempt, as provided in Chapter 5A, Contempt, of the General Statutes.

Notwithstanding the provisions of G.S. 1-294, an order pertaining to child custody which has been appealed to the Appellate Division is enforceable in the trial court by proceedings for civil contempt during the pendency of the appeal. Upon motion of an aggrieved party, the Court of the Appellate Division in which the appeal is pending may stay any order for civil contempt entered for child custody until the appeal is decided, if justice requires."

Sec. 3. This act shall become effective July 1, 1983.

In the General Assembly read three times and ratified, this the 15th day of June, 1983.