

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1148

Short Title: Divorce Education Program.

(Public)

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Sponsors: Representatives Alexander; D. Brown, Church, Easterling, Hill, Jeffus, McCrary, and Rogers.

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Referred to: Courts and Justice.

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April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AN EDUCATIONAL PROGRAM FOR DIVORCING COUPLES WITH CHILDREN.

The General Assembly of North Carolina enacts:

Section 1. (a) The Administrative Office of the Courts shall develop a program to educate and sensitize divorcing couples with children about the needs of their children during the separation and divorce process and after the divorce has been granted. Program development shall include the following:

(1) An educational course that divorcing couples with children would be required to attend before an absolute divorce would be granted by the court; the course should be designed to inform attendees about divorce and its impact on:

- a. The children,
- b. The family relationship, and
- c. The couples' financial responsibilities for the children;

The course should also provide information to attendees on resources available in the community for helping families affected by divorce;

The course should not be so lengthy as to be unduly burdensome, but should be sufficiently comprehensive in subject matter and information to be useful to attendees;

- 1           (2) An administrative plan for the implementation of the program  
2           statewide or in selected judicial districts, as recommended by the  
3           Administrative Office of the Courts; the administrative plan shall  
4           include:
- 5           a. Provision for the court to waive the course attendance  
6           requirement upon its own motion or upon motion of one or both  
7           of the parties if the court determines that attendance and  
8           completion of the course are not necessary, appropriate,  
9           feasible, or in the best interest of the parties,
- 10          b. Estimates of the cost to operate the program in selected  
11          districts, or statewide,
- 12          c. Estimates of reasonable fees that attendees would be charged,  
13          and a method for waiving such fees in cases of severe financial  
14          hardship,
- 15          d. Methods for evaluating the courses to ensure effectiveness, and  
16          for certifying attendance,
- 17          e. How the program will be implemented at the local level, and  
18          f. Other administrative matters identified by the Administrative  
19          Office of the Courts as necessary for effective and efficient  
20          program implementation;
- 21          (3) Identification of course providers with whom the Administrative  
22          Office of the Courts would contract to make courses available at  
23          reasonable times and for reasonable fees, and to ensure that courses  
24          will be available with sufficient regularity to meet the needs of the  
25          judicial district in which the program is offered; and
- 26          (4) Other matters considered by the Administrative Office of the Courts to  
27          be important program components.
- 28          (b) The Administrative Office of the Courts shall ensure involvement and input  
29          into the development of the program by persons who have experience in assisting  
30          families through and after the divorcing process.

31           Sec. 2. The Administrative Office of the Courts shall report to the General  
32          Assembly not later than May 1, 1994, on the program developed pursuant to Section 1  
33          of this act. The report shall include the following:

- 34          (1) Recommendations on whether the program should be implemented  
35          statewide or in targeted pilot districts, and the reasons for the  
36          recommendation;
- 37          (2) The amount of State funds that will be necessary to support the  
38          program; these amounts shall indicate costs to operate the programs  
39          locally, and administrative costs for the Administrative Office of the  
40          Courts to supervise and oversee program operation;
- 41          (3) Legislation that may be needed to facilitate program implementation  
42          and operation; and
- 43          (4) Other recommendations the Office of Administrative Hearings  
44          considers appropriate.

1           Sec. 3. This act is effective upon ratification.