

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 560*

Short Title: Divorce Education.

(Public)

Sponsors: Representatives Alexander; Adams, Baddour, Beall, Black, Church, Cole, Crawford, Cunningham, Earle, Easterling, Fox, Gamble, Goodwin, Hackney, H. Hunter, Hurley, Jarrell, Jeffus, Luebke, Michaux, Miller, Mosley, Nye, Oldham, Ramsey, Wainwright, Wilkins, G. Wilson, and Yongue.

Referred to: Education, if favorable, Judiciary II.

March 20, 1997

A BILL TO BE ENTITLED

1 AN ACT DIRECTING THE ADMINISTRATIVE OFFICE OF THE COURTS TO
2 DEVELOP AN EDUCATIONAL PROGRAM FOR PARENTS WHO ARE
3 PARTIES TO A CUSTODY OR VISITATION ACTION.
4

5 The General Assembly of North Carolina enacts:

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

10 (1) An educational course that parties to a custody or visitation action may
11 attend voluntarily or shall attend if ordered by the court to do so. The
12 course should be designed to inform attendees of the impact of their
13 separation, custody, or visitation action on:

- 14 a. The children,
15 b. The parents' relationship with one another,
16 c. The family's relationship, and
17 d. The couples' financial responsibilities for the children;

1 The course should provide information to attendees on resources
2 available in the community to help them address these issues;

3 (2) An administrative plan for the implementation of the program in at least
4 five judicial districts selected by the Administrative Office of the
5 Courts; the administrative plan shall include:

6 a. Provisions to ensure the program will be financially self-
7 sustaining in each district,

8 b. Estimates of reasonable fees that attendees would be charged,
9 and a method for waiving such fees in cases of severe financial
10 hardship,

11 c. Methods for evaluating the courses to ensure effectiveness, and
12 for certifying attendance,

13 d. How the program will be implemented at the local level, and

14 e. Other administrative matters identified by the Administrative
15 Office of the Courts as necessary for effective and efficient
16 program implementation;

17 (3) Identification of course providers with whom the Administrative Office
18 of the Courts would contract to make courses available at reasonable
19 times and for reasonable fees, and to ensure that courses will be
20 available with sufficient regularity to meet the needs of the judicial
21 district in which the program is offered; and

22 (4) Other matters considered by the Administrative Office of the Courts to
23 be important program components.

24 The Administrative Office of the Courts shall ensure that the program is
25 operational in at least five judicial districts no later than January 1, 1998.

26 (b) The Administrative Office of the Courts shall ensure involvement and input
27 into the development of the program by persons who have experience in assisting
28 families through and after the divorcing process.

29 (c) The court shall order participation in this educational course if it finds that
30 significant parental conflict has adversely affected the children and that the children's best
31 interests would be served by the party or parties' participation in the course.

32 Section 2. The Administrative Office of the Courts shall report to the General
33 Assembly not later than May 1, 1998, on the program developed pursuant to Section 1 of
34 this act. The report shall include the following:

35 (1) Progress made on the implementation of the targeted pilot districts and
36 recommendations for the expansion of the program to other districts;

37 (2) The amount of State funds that will be necessary for the Administrative
38 Office of the Courts to supervise and oversee program operation;

39 (3) Legislation that may be needed to facilitate program implementation
40 and operation; and

41 (4) Other recommendations the Administrative Office of the Courts
42 considers appropriate.

43 Section 3. This act is effective when it becomes law.