

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 225

Short Title: Divorce Educ. Program.

(Public)

Sponsors: Representatives Alexander; Black, Blue, Church, Culpepper, Cunningham, Dickson, Earle, Easterling, Fox, Hill, Hurley, Lee, Luebke, McCrary, McLaughlin, Michaux, G. Miller, Oldham, Redwine, Richardson, Rogers, Tolson, Wright, and Yongue.

Referred to: Appropriations Subcommittee on Judiciary II, if favorable, Justice and Public Safety.

February 20, 1995

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;

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

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

7 (2) An administrative plan for the implementation of the program statewide
8 or in selected judicial districts, as recommended by the Administrative
9 Office of the Courts; the administrative plan shall include:

10 a. Provision for the court to waive the course attendance
11 requirement upon its own motion or upon motion of one or both
12 of the parties if the court determines that attendance and
13 completion of the course are not necessary, appropriate, feasible,
14 or in the best interest of the parties,

15 b. Estimates of the cost to operate the program in selected districts,
16 or statewide,

17 c. Estimates of reasonable fees that attendees would be charged,
18 and a method for waiving such fees in cases of severe financial
19 hardship,

20 d. Methods for evaluating the courses to ensure effectiveness, and
21 for certifying attendance,

22 e. How the program will be implemented at the local level, and

23 f. Other administrative matters identified by the Administrative
24 Office of the Courts as necessary for effective and efficient
25 program implementation;

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

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

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

36 Sec. 2. The Administrative Office of the Courts shall report to the General
37 Assembly not later than May 1, 1996, on the program developed pursuant to Section 1 of
38 this act. The report shall include the following:

39 (1) Recommendations on whether the program should be implemented
40 statewide or in targeted pilot districts, and the reasons for the
41 recommendation;

42 (2) The amount of State funds that will be necessary to support the
43 program; these amounts shall indicate costs to operate the programs

- 1 locally, and administrative costs for the Administrative Office of the
2 Courts to supervise and oversee program operation;
3 (3) Legislation that may be needed to facilitate program implementation
4 and operation; and
5 (4) Other recommendations the Office of Administrative Hearings
6 considers appropriate.
7 Sec. 3. This act is effective upon ratification.