

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1336

Short Title: Parental Responsibility Pilot Program.

(Public)

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Sponsors: Representatives Alexander; Baddour (Primary Sponsors), Adams, Church, Earle, Goodwin, Hill, Luebke, and Nesbitt.

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Referred to: Appropriations.

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April 26, 1999

A BILL TO BE ENTITLED

AN ACT DIRECTING THE ADMINISTRATIVE OFFICE OF THE COURTS TO ESTABLISH AN EDUCATIONAL PROGRAM FOR PARENTS WHO ARE PARTIES TO A CUSTODY OR VISITATION ACTION.

The General Assembly of North Carolina enacts:

Section 1.(a) The Administrative Office of the Courts shall establish a program to educate and sensitize separated or divorcing couples with children about the needs of their children during and after the separation and divorce process. The program shall be administered as part of the family court pilot program established by Section 25 of S.L. 1998-202. Program development shall include the following:

- (1) An educational course that parties to a custody or visitation action may attend voluntarily or if ordered by the court. The course should be designed to inform attendees of the impact of their separation, custody, or visitation action on:
  - a. The children,
  - b. The parents' relationship with one another,
  - c. The family's relationship, and
  - d. The couple's 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 all  
4 judicial districts with a family court pilot program; the administrative  
5 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 all judicial districts with a family court pilot program established pursuant  
26 to Section 25 of S.L. 1998-202 no later than January 1, 2000.

27 Section 1.(b) The Administrative Office of the Courts shall ensure involvement  
28 and input into the development of the program by persons who have experience in  
29 assisting families through and after the divorcing process.

30 Section 1.(c) The court shall order participation in this educational course if it  
31 finds that significant parental conflict has adversely affected the children and that the  
32 children's best interests would be served by the party or parties' participation in the  
33 course.

34 Section 2. The Administrative Office of the Courts shall report to the General  
35 Assembly not later than March 1, 2001, on the program developed pursuant to Section 1  
36 of this act. The Administrative Office of the Courts shall make an interim report on the  
37 program developed pursuant to Section 1 of this act to the General Assembly as part of its  
38 report on the family court pilot program established by Section 25 of S.L. 1998-202.  
39 These reports shall include the following:

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

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

1           (3)    Legislation that may be needed to facilitate program implementation  
2                    and operation; and

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

5           Section 3. There is appropriated from the General Fund to the Administrative  
6 Office of the Courts the sum of seventy-five thousand dollars (\$75,000) for the 1999-  
7 2000 fiscal year and the sum of seventy-five thousand dollars (\$75,000) for the 2000-  
8 2001 fiscal year to implement the provisions of this act.

9           Section 4. This act becomes effective July 1, 1999.