

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1547

Short Title: Divorce Education Funds.

(Public)

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Sponsors: Representatives Alexander; Allen, Black, Bonner, Church, Cole, Dickson, Earle, Easterling, Goodwin, Hill, Ives, Jeffus, Luebke, McMahan, Mosley, Nichols, Owens, Wainwright, Watson, G. Wilson, and Yongue.

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Referred to: Rules, Calendar and Operations of the House.

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May 27, 1998

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.  
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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 if ordered by the court. The course should be  
12 designed to inform attendees of the impact of their separation, custody,  
13 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 couple's financial responsibilities for the children;

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

- 20 (2) An administrative plan for the implementation of the program in at  
21 least four judicial districts selected by the Administrative Office of the  
22 Courts; the administrative plan shall include:

- a. Provisions to ensure the program will be financially self-sustaining in each district,
  - b. Estimates of reasonable fees that attendees would be charged, and a method for waiving such fees in cases of severe financial hardship,
  - c. Methods for evaluating the courses to ensure effectiveness, and for certifying attendance,
  - d. How the program will be implemented at the local level, and
  - e. Other administrative matters identified by the Administrative Office of the Courts as necessary for effective and efficient program implementation;
- (3) Identification of course providers with whom the Administrative Office of the Courts would contract to make courses available at reasonable times and for reasonable fees, and to ensure that courses will be available with sufficient regularity to meet the needs of the judicial district in which the program is offered; and
  - (4) Other matters considered by the Administrative Office of the Courts to be important program components.

The Administrative Office of the Courts shall ensure that the program is operational in at least four judicial districts no later than January 1, 1999. The Administrative Office of the Courts shall consider implementing the program in judicial districts 4, 12, 19B, and 26.

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

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

Section 2. The Administrative Office of the Courts shall report to the General Assembly not later than March 1, 2000, on the program developed pursuant to Section 1 of this act. The report shall include the following:

- (1) Progress made on the implementation of the targeted pilot districts and recommendations for the expansion of the program to other districts;
- (2) The amount of State funds that will be necessary for the Administrative Office of the Courts to supervise and oversee program operation;
- (3) Legislation that may be needed to facilitate program implementation and operation; and
- (4) Other recommendations the Administrative Office of the Courts considers appropriate.

Section 3. There is appropriated from the General Fund to the Administrative Office of the Courts the sum of one hundred thirteen thousand dollars (\$113,000) for the 1998-99 fiscal year to implement the provisions of this act.

Section 4. This act becomes effective July 1, 1998.