

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 560\*  
Committee Substitute Favorable 4/14/97

Short Title: Divorce Education.

(Public)

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Sponsors:

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Referred to:

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March 20, 1997

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

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;

- 1           (2) An administrative plan for the implementation of the program in at least  
2 four judicial districts selected by the Administrative Office of the  
3 Courts; the administrative plan shall include:  
4           a. Provisions to ensure the program will be financially self-  
5 sustaining in each district,  
6           b. Estimates of reasonable fees that attendees would be charged,  
7 and a method for waiving such fees in cases of severe financial  
8 hardship,  
9           c. Methods for evaluating the courses to ensure effectiveness, and  
10 for certifying attendance,  
11           d. How the program will be implemented at the local level, and  
12           e. Other administrative matters identified by the Administrative  
13 Office of the Courts as necessary for effective and efficient  
14 program implementation;
- 15           (3) Identification of course providers with whom the Administrative Office  
16 of the Courts would contract to make courses available at reasonable  
17 times and for reasonable fees, and to ensure that courses will be  
18 available with sufficient regularity to meet the needs of the judicial  
19 district in which the program is offered; and
- 20           (4) Other matters considered by the Administrative Office of the Courts to  
21 be important program components.

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

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

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

30           Section 2. The Administrative Office of the Courts shall report to the General  
31 Assembly not later than March 1, 1999, on the program developed pursuant to Section 1  
32 of this act. The report shall include the following:

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

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