

2000 SESSION

INTRODUCED

006096684

HOUSE BILL NO. 907

Offered January 24, 2000

A BILL to create a pilot project to determine the effects of a presumption of joint custody.

Patron—Cranwell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. § 1. The Supreme Court of Virginia shall establish a pilot project, whereby in any case filed in circuit court in the counties of Prince William and Wise and the cities of Danville and Virginia Beach starting January 1, 2001, and ending December 31, 2002, where the custody of minor children is at issue the court shall order that both parents retain their roles as joint legal and physical custodians of their children to the maximum practical extent. There shall be no presumption or inference of law in favor of either parent. Custody may be awarded to a person other than a parent only upon a showing by clear and convincing evidence that one or both parents is unfit. The presumption that both parents should retain their roles as joint legal and physical custodians shall prevail over any conflicting provisions of the Code of Virginia. At the end of this two-year pilot project, the Supreme Court of Virginia shall prepare a report detailing whether such a presumption benefits children and recommending whether such procedure should be implemented throughout the Commonwealth.

INTRODUCED

HB907