

2008 SESSION

INTRODUCED

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HOUSE BILL NO. 1518

Offered January 18, 2008

A *BILL to establish a pilot program allowing the courts not to use emergency protective orders in Accomack County.*

Patron—Marsden

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Office of the Executive Secretary of the Supreme Court shall allow the court system in Accomack County not to use emergency protective orders and instead allow magistrates in Accomack County to issue preliminary protective orders that would be issued for 15 days or until the court is next scheduled to convene, whichever date is later. Such a protective order would be issued and notice would be sent to the respondent to appear for a court date to contest the entry of a protective order. If the respondent has not been served by the court date identified in the preliminary protective order, the court may extend the preliminary protective order for a period not to exceed six months. The Juvenile and Domestic Relations Court of Accomack County shall set aside at least one hearing date and time each week for protective order hearings. The preliminary protection order shall only include the residence and automobile of the petitioner, and shall not include child custody, visitation, or support unless the petitioner pleads that the child or children are in danger of being harmed by the respondent. Ordinary custody, visitation, or support issues shall be brought before an intake officer. Any appeal by the respondent of the entry of a protection order shall be expedited on the docket. The Executive Secretary shall report to the General Assembly on the effectiveness and utilization of this system by January 1, 2011.*

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