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HOUSE JOINT RESOLUTION NO. 122

Offered January 13, 2010

Prefiled January 13, 2010

Establishing a joint subcommittee to study the feasibility of establishing statewide minimum standards for the oversight of supervised visitation with children. Report.

Patron—Crockett-Stark

Referred to Committee on Rules

WHEREAS, parent-child relationships may require some form of supervision in order to ensure the welfare and the best interests of a child; and

WHEREAS, supervised visitation is an important tool employed by the courts and the Department of Social Services; and

WHEREAS, the use of supervised visitation may result in reduced conflict between the parties and may serve to facilitate contact and encourage ongoing relationships between parents and children and between custodial and noncustodial parents; and

WHEREAS, there has been a proliferation of organizations whose goal is to facilitate supervised visitation, including the Safe Haven Child Visitation Centers of the New River Valley located in Pulaski and Christiansburg, Virginia, which was established in 2008; and

WHEREAS, although supervised visitation is frequently utilized in the Commonwealth, there are no guidelines in place governing its use or application; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the feasibility of establishing statewide minimum standards for the oversight of supervised visitation with children. The joint subcommittee shall have a total membership of 11 members that shall consist of six legislative members, three nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; one nonlegislative citizen member who is a juvenile and domestic relations district court judge to be appointed by the Speaker of the House of Delegates upon consideration of the recommendation of the Judicial Council; one nonlegislative citizen member who is a member of the Family Law section of the Virginia State Bar to be appointed by the Speaker of the House of Delegates; and one nonlegislative citizen member who is a circuit court judge to be appointed by the Senate Committee on Rules upon consideration of the recommendation of the Judicial Council. The Executive Secretary of the Supreme Court of Virginia and the Commissioner of the Department of Social Services, or their designees, shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall review current procedures employed by the courts and the Department of Social Services regarding supervised visitation, including under what circumstances supervised visitation is deemed appropriate, how orders for supervised visitation are implemented, and the availability of resources or entities intended to facilitate supervised visitation. The joint subcommittee shall further review whether it is advisable to develop minimum standards for the oversight of supervised visitation that would have statewide application.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2010 interim and four meetings for the 2011 interim, and the direct costs of this study shall not exceed \$6,400 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall

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59 be required.

60 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
61 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
62 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
63 joint subcommittee.

64 The joint subcommittee shall complete its meetings for the first year by November 30, 2010, and for
65 the second year by November 30, 2011, and the chairman shall submit to the Division of Legislative
66 Automated Systems an executive summary of its findings and recommendations no later than the first
67 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
68 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
69 report of its findings and recommendations for publication as a House or Senate document. The
70 executive summaries and reports shall be submitted as provided in the procedures of the Division of
71 Legislative Automated Systems for the processing of legislative documents and reports and shall be
72 posted on the General Assembly's website.

73 Implementation of this resolution is subject to subsequent approval and certification by the Joint
74 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
75 delay the period for the conduct of the study, or authorize additional meetings during the 2010 and 2011
76 interims.