

2010 SESSION

INTRODUCED

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SENATE BILL NO. 526

Offered January 13, 2010

Prefiled January 13, 2010

A *BILL to amend and reenact § 20-124.4 of the Code of Virginia, relating to mandatory dispute resolution orientation sessions in custody, visitation, and child support cases.*

Patron—Norment

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 20-124.4 of the Code of Virginia is amended and reenacted as follows:

§ 20-124.4. Mediation.

In any appropriate case the court shall refer the parents or persons with a legitimate interest to a dispute resolution ~~evaluation~~ *orientation* session to be conducted by a mediator certified pursuant to guidelines promulgated by the Judicial Council at no cost and in accordance with the procedures set out in Chapter 20.2 (§ 8.01-576.4 et seq.) of Title 8.01. In assessing the appropriateness of a referral, the court *may ascertain on its own or* shall ascertain upon motion of a party whether there is a history of family abuse. *In all cases in which custody, visitation, or child support is initially contested, except those with a history of family abuse, the court shall refer the parties to, and the parties shall attend, the dispute resolution orientation session.* If an agreement is not reached on any issue through further mediation as agreed to by the parties, prior to the return date set by the court pursuant to § 8.01-576.5, the court shall proceed with a hearing on any unresolved issue, unless a continuance has been granted by the court. The fee of a mediator appointed in any custody, support or visitation case shall be \$100 per appointment and shall be paid by the Commonwealth from the funds appropriated for payment of appointments made pursuant to subsection B of § 16.1-267. *The court may use its contempt power to enforce the provisions of this section.*

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