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HOUSE BILL NO. 287

Offered January 13, 2016

Prefiled January 4, 2016

A BILL to amend and reenact § 20-124.4 of the Code of Virginia, relating to mediation; fees.

Patrons—Habeeb and Toscano

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.**

A. 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 shall ascertain upon motion of a party whether there is a history of family abuse. 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.~~

B. *The fee of the mediator shall be \$120 per appointment mediated and shall be paid by the Commonwealth from the funds appropriated for payment of appointments made pursuant to subsection B of § 16.1-267. Any referral that includes both (i) custody or visitation and (ii) child or spousal support shall be considered two separate appointments.*

INTRODUCED

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