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**SENATE BILL NO. 1344**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee for Courts of Justice  
on February 1, 2017)

(Patron Prior to Substitute—Senator Surovell)

*A BILL to amend and reenact § 20-124.2:1 of the Code of Virginia, relating to in camera interviews of child in custody or visitation proceeding; court's discretion to make record or transcript available.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 20-124.2:1 of the Code of Virginia is amended and reenacted as follows:**

**§ 20-124.2:1. In camera interviews of child; recording or transcript.**

*In any proceeding in a court of record to determine custody or visitation, when the a court conducts may conduct an in camera interview of a minor child whose custody or visitation is at issue with or without the presence of the parties or their counsel, a in the discretion of the court. A record or transcript of the interview shall be prepared, unless the parties otherwise agree. The record or transcript of the interview shall be made available to the parties and counsel, and shall be made a part of the record in the case if such interview is conducted in a proceeding in a court of record, unless a decision is made by the court that doing so providing such record or transcript or making such record or transcript a part of the record would endanger the safety of the child; in such an event, the record or transcript shall be sealed and made part of the record. The cost of creating the record or transcript shall be taxed as costs to the parties to the proceeding. For the purposes of this section, "record or transcript" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.*

**SENATE SUBSTITUTE**

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