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HOUSE BILL NO. 1077

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 27, 2020)

(Patron Prior to Substitute—Delegate Simon)

A BILL to amend the Code of Virginia by adding a section numbered 16.1-279.2, relating to protective orders; minors; filing of petition.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 16.1-279.2 as follows:

§ 16.1-279.2. Protective orders; minor may petition.

Notwithstanding § 8.01-8 or any other provision of law, a minor may petition for a protective order pursuant to this title or Chapter 9.1 (§ 19.2-152.7:1 et seq.) of Title 19.2 (i) without doing so by next friend and (ii) with or without the consent of a parent, legal guardian, or other person standing in loco parentis to the minor and who has care and control of the minor. If the court determines that the minor is mature enough and well-informed enough to participate in the court proceedings on his own behalf, the minor may do so.

In any matter where a minor has petitioned for a protective order (a) without doing so by next friend and (b) without the consent of a parent, legal guardian, or other person standing in loco parentis to the minor and who has care and control of the minor, the court may appoint a guardian ad litem for the minor.

HOUSE SUBSTITUTE

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