

Session 114 - (2001-2002)

S*0322 (Rat #0442, Act #0361 of 2002) General Bill, By Mescher, Grooms and Branton

Similar (H 4584)

Summary: Private Guardian Ad Litem Reform Act

A BILL TO AMEND SUBARTICLE 2, ARTICLE 11, CHAPTER 7, TITLE 20 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL VISITATION PROVISIONS BY ENACTING THE SOUTH CAROLINA PRIVATE GUARDIAN AD LITEM REFORM ACT, SO AS TO ESTABLISH THE CONDITIONS UNDER WHICH A FAMILY COURT JUDGE MAY APPOINT A GUARDIAN AD LITEM IN CHILD CUSTODY AND VISITATION MATTERS, TO PROVIDE THAT AN ATTORNEY OR A LAYPERSON MAY SERVE AS A GUARDIAN AD LITEM AND TO ESTABLISH QUALIFICATIONS, INCLUDING TRAINING AND CONTINUING EDUCATION, TO AUTHORIZE THE COURT TO APPOINT AN ATTORNEY FOR THE GUARDIAN AD LITEM, TO PROVIDE THE RESPONSIBILITIES, DUTIES, AND SCOPE OF AUTHORITY OF GUARDIANS AD LITEM, TO PROVIDE THAT THE FAMILY COURT JUDGE SHALL ESTABLISH THE METHOD AND RATE OF COMPENSATION FOR A GUARDIAN AD LITEM, TO ESTABLISH GUIDELINES FOR DETERMINING REASONABLENESS OF FEES AND COSTS, AND TO REQUIRE GUARDIANS AD LITEM TO DISCLOSE CERTAIN INFORMATION TO PARTIES RELATING TO THEIR ABILITY TO SERVE IN AN EQUITABLE, IMPARTIAL MANNER; TO AMEND SECTION 20-7-420, AS AMENDED, RELATING TO THE AUTHORITY OF THE FAMILY COURT TO APPOINT GUARDIANS AD LITEM, SO AS TO SPECIFY THAT SUCH APPOINTMENTS ARE IN ACTIONS PERTAINING TO CUSTODY OR VISITATION; TO REDESIGNATE SECTION 20-7-1555 AS SECTION 20-7-1525 AND SECTION 20-7-1557 AS SECTION 20-7-1535, AND TO PLACE BOTH SECTIONS IN SUBARTICLE 1, ARTICLE 11, CHAPTER 7, TITLE 20, WHICH IS RENAMED "SPECIAL CUSTODY AND VISITATION PROVISIONS"; AND TO RENAME SUBARTICLE 2, ARTICLE 11, CHAPTER 7, TITLE 20 "PRIVATE GUARDIANS AD LITEM".

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| 02/14/01 | Senate | Introduced and read first time SJ-7 |
| 02/14/01 | Senate | Referred to Committee on Judiciary SJ-7 |
| 03/07/01 | Senate | Committee report: Favorable Judiciary SJ-13 |
| 04/26/01 | Senate | Retaining place on calendar recommitted to Committee on Judiciary SJ-99 |
| 01/30/02 | Senate | Committee report: Favorable with amendment Judiciary SJ-4 |
| 02/05/02 | Senate | Amended SJ-33 |
| 02/05/02 | Senate | Read second time SJ-33 |
| 02/05/02 | Senate | Ordered to third reading with notice of amendments SJ-33 |
| 02/06/02 | Senate | Read third time and sent to House SJ-30 |
| 02/07/02 | House | Introduced and read first time HJ-9 |
| 02/07/02 | House | Referred to Committee on Judiciary HJ-9 |
| 03/06/02 | House | Committee report: Favorable with amendment Judiciary HJ-4 |
| 03/19/02 | House | Debate interrupted HJ-31 |
| 03/20/02 | House | Debate interrupted HJ-17 |
| 03/20/02 | House | Requests for debate-Rep(s). Altman, Cooper, White, Sharpe, Chellis, Scarborough, DC Smith, Moody-Lawrence, Kelley, Gourdine, Clyburn, Stuart, Bales, Ott, JR Smith, Vaughn, Leach and Knotts HJ-23 |
| 03/21/02 | House | Debate adjourned until Tuesday, April 2, 2002 HJ-17 |
| 04/03/02 | House | Amended HJ-95 |
| 04/03/02 | House | Debate interrupted HJ-106 |
| 04/10/02 | House | Read second time HJ-59 |
| 04/10/02 | House | Roll call Yeas-92 Nays-10 HJ-59 |
| 04/11/02 | House | Read third time and returned to Senate with amendments HJ-23 |
| 04/17/02 | Senate | House amendment amended SJ-22 |
| 04/17/02 | Senate | Returned to House with amendments SJ-22 |
| 04/24/02 | House | Non-concurrence in Senate amendment HJ-29 |
| 04/24/02 | Senate | Senate insists upon amendment and conference committee appointed Sens. Martin, Waldrep, Hutto SJ-24 |
| 04/24/02 | House | Conference committee appointed Reps. Easterday, Coleman and Sinclair HJ-84 |
| 05/29/02 | Senate | Free conference powers granted SJ-17 |
| 05/29/02 | Senate | Free conference committee appointed Martin, Hutto, Waldrep SJ-17 |
| 05/30/02 | Senate | Free conference report received and adopted SJ-26 |

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| 06/05/02 | House | Free conference powers granted HJ-28 |
| 06/05/02 | House | Free conference committee appointed Reps. Easterday, Coleman and Sinclair HJ-30 |
| 06/05/02 | House | Free conference report received and adopted HJ-30 |
| 06/05/02 | House | Ordered enrolled for ratification HJ-36 |
| 06/06/02 | | Ratified R 442 |
| 07/19/02 | | Signed By Governor |
| 08/14/02 | | Effective date 1/15/03 See Act |
| 08/14/02 | | Copies available |
| 08/22/02 | | Act No. 361 |