

Session 118 - (2009-2010)

S 1185 General Bill, By Malloy, Ford, Pinckney, McConnell, Rose and Campsen

Summary: Family Law Medication Act

A BILL TO AMEND TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 8 ENTITLED THE "SOUTH CAROLINA FAMILY LAW MEDIATION ACT", SO AS TO MANDATE MEDIATION IN ALL DOMESTIC RELATIONS ACTIONS IN FAMILY COURT; TO PROVIDE FOR DEFINITIONS OF MEDIATION AND MEDIATOR; TO PROVIDE FOR AUTOMATIC EXCEPTIONS WHERE MEDIATION IS NOT REQUIRED; TO INCLUDE CONTEMPT ACTIONS, CHILD ABUSE AND NEGLECT PROCEEDINGS, DEPARTMENT OF SOCIAL SERVICES ADULT PROTECTIVE SERVICES CASES, CASES WHERE THERE HAS BEEN A FINDING OF ABUSE OR NEGLECT, JUVENILE PROCEEDINGS, UNCONTESTED ISSUES, ACTIONS WHERE PARTIES AGREE TO VOLUNTARY MEDIATION, AND THE ENTRY OF DIVORCE OR SEPARATE MAINTENANCE DECREES; TO PROVIDE CIRCUMSTANCES WHERE MEDIATION MAY BE WAIVED BY THE FAMILY COURT; TO INCLUDE GEOGRAPHIC CONSIDERATIONS, INCAPACITY OF ONE OR MORE PARTIES, INCOMPETENCE OF ONE OR MORE PARTIES, CASES WHERE INVOLVING ABUSE OR NEGLECT OCCURRING MORE THAN ONE YEAR FROM THE HEARING, CASES INVOLVING SUBSTANCE ABUSE BY ONE OR MORE PARTIES; TO PROVIDE THAT MEDIATION MUST OCCUR BETWEEN NINETY AND ONE HUNDRED AND EIGHTY DAYS AFTER THE FILING OF THE ACTION; AND TO PROVIDE THAT NO FINAL HEARING IN A DOMESTIC RELATIONS ACTION SHALL BE SCHEDULED UNTIL MEDIATION IS COMPLETED IN THE MATTER, UNLESS IT IS EXEMPTED OR EXCEPTED FROM MEDIATION.

02/17/10	Senate	Introduced and read first time SJ-4
02/17/10	Senate	Referred to Committee on Judiciary SJ-4
02/19/10	Senate	Referred to Subcommittee: Campbell (ch), Knotts, Campsen, Lourie, Massey
03/31/10	Senate	Committee report: Favorable with amendment Judiciary SJ-10
04/01/10		Scrivener's error corrected
04/14/10	Senate	Committee Amendment Adopted SJ-77
04/22/10	Senate	Amended SJ-44
04/22/10	Senate	Read second time SJ-44
04/23/10		Scrivener's error corrected
04/28/10	Senate	Read third time and sent to House SJ-28
04/29/10	House	Introduced and read first time HJ-17
04/29/10	House	Referred to Committee on Judiciary HJ-17