

## 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".

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

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