

House Bill 613

By: Representatives Stanley-Turner of the 50th, Stanley of the 49th, Walker of the 141st, Ehrhart of the 36th, Squires of the 78th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 19-9-1 of the Official Code of Georgia Annotated, relating to the
2 custody of children, how the same is determined, discretion of the court, the right of a child
3 14 years of age or over to select custodial parent, consideration of the child’s educational
4 needs, when visitation rights may be reviewed, notification of a change in residence, and the
5 application of the Uniform Child Custody Jurisdiction Act, so as to provide that any time a
6 custodial parent interferes with the court ordered visitation rights of a noncustodial parent,
7 the noncustodial parent shall be entitled to an expedited hearing before a superior court
8 judge; to provide for a petition; to provide for a mediation; to provide for relief; to provided
9 for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 19-9-1 of the Official Code of Georgia Annotated, relating to the custody of
13 children, how the same is determined, discretion of the court, the right of a child 14 years of
14 age or over to select custodial parent, consideration of the child’s educational needs, when
15 visitation rights may be reviewed, notification of a change in residence, and the application
16 of the Uniform Child Custody Jurisdiction Act, is amended by inserting at the end thereof
17 the following:

18 "(e) Any time a custodial parent interferes with the court ordered visitation rights of a
19 noncustodial parent, the noncustodial parent shall be entitled to an expedited mediation
20 before a judge of the superior court; provided, however, that no person who is in arrears
21 on court ordered child support payments being paid through the court shall be entitled to
22 a hearing pursuant to this subsection. A noncustodial parent may obtain an expedited
23 mediation by petitioning the court in person through the clerk of the superior court having
24 jurisdiction over the custodial parent. Such petition shall be informal and may be oral. The
25 clerk shall immediately transmit the petition to a superior court judge, who shall within
26 three business days schedule a mediation and issue a subpoena commanding the presence

1 of the custodial parent. Such mediation shall be set for a day not more than two weeks from
2 the date of the petition. The mediation shall be informal, and the court shall steer the
3 parties toward an amicable solution to the problem. After hearing from both parties, the
4 court may order such remedy as the court deems appropriate."

5 **SECTION 2.**

6 All laws and parts of laws in conflict with this Act are repealed.