

The Senate Judiciary Committee offered the following substitute to HB 1194:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 19-9-3 of the Official Code of Georgia Annotated, relating to
2 discretion of court in custody disputes, right of child 14 years old or older to select custodial
3 parent, right of visitation rights, grandparent visitation, and policy, so as to provide for
4 limited civil liability for a court appointed custody evaluator or court appointed guardian ad
5 litem under certain circumstances; to provide for related matters; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8 Code Section 19-9-3 of the Official Code of Georgia Annotated, relating to discretion of
9 court in custody disputes, right of child 14 years old or older to select custodial parent, right
10 of visitation rights, grandparent visitation, and policy, is amended by striking paragraph (6)
11 of subsection (a) of said Code section and inserting in its place the following:
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13 "(6) The court is authorized to order a psychological custody evaluation of the family or
14 an independent medical evaluation. In addition to the privilege afforded a witness,
15 neither a court appointed custody evaluator nor a court appointed guardian ad litem shall
16 be subject to civil liability resulting from any act or failure to act in the performance of
17 his or her duties unless such act or failure to act was in bad faith."

SECTION 2.

18 All laws and parts of laws in conflict with this Act are repealed.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