WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1998

ENROLLED

Com. Sub. for
House Bill No. 4530
(By Delegates Trump, Staton, Ashley, Buchanan, Webb and Fleischauer)

Passed March 14, 1998
In Effect Ninety Days from Passage
AN ACT to amend article two, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section ten-b, relating generally to parent education classes for parents of minor children when the parents are involved in actions for divorce, paternity, custody or separate maintenance.

Be it enacted by the Legislature of West Virginia:

That article two, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section ten-b, to read as follows:

ARTICLE 2. DIVORCE, ANNULMENT AND SEPARATE MAINTENANCE.

§48-2-10b. Parent education classes.

1 (a) A circuit court, or a judge thereof, may, by administrative rule or order, and with the approval of the
supreme court of appeals, designate an organization or agency to establish and operate education programs designed for parents who have filed an action for divorce, paternity, support or separate maintenance and who have minor children. The education programs shall be designed to instruct and educate parents about the effects of divorce and custody disputes on their children and to teach parents ways to help their children and minimize their trauma.

(b) The circuit court may issue an order requiring parties to an action for divorce, paternity, custody or separate maintenance to attend parental education classes established pursuant to subsection (a) of this section and may, by order, establish sanctions for failure to attend.

(c) The circuit court may require that each person attending a parental education class pay a fee, not to exceed twenty-five dollars, to the clerk of such court to defray the cost of materials and of hiring teachers: Provided, That where it is determined that a party is indigent and unable to pay for such classes, the court shall waive the payment of the fee for such party. The clerk of the circuit court shall, on or before the tenth day of each month, transmit all fees collected under this subsection to the state treasurer for deposit in the state treasury to the credit of special revenue fund to be know as the “parental education fund”, which is hereby created. All moneys collected and received under this subsection and paid into the state treasury and credited to the “parental education fund” shall be used by the administrative office of the supreme court of appeals solely for reimbursing the provider of parental education classes for the costs of materials and of providing such classes. Such moneys shall not be treated by the auditor and treasurer as part of the general revenue of the state.

(d) The administrative office of the supreme court of appeals shall submit a report to the joint committee on government and finance summarizing the effectiveness of any program of parent education no later than two years from the initiation of the program.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within ___________ approved this the ___________ day of ___________, 1998.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/6/48
Time 10:00 AM