



HOUSE BILL 615: Jordan's Law.

2021-2022 General Assembly

Committee:		Date:	August 16, 2022
Introduced by:		Prepared by:	Debbie Griffiths Staff Attorney
Analysis of:	S.L. 2022-48		

OVERVIEW:

- *Section 1 of the act amends G.S. 50B-3(b) to allow a court to temporarily extend a domestic violence order of protection when the court date to consider the extension is set after the expiration date on the order.*
- *Section 2 of the act amends G.S. 50-13.1(b) to allow optional participation in custody mediation, rather than mandatory participation, when motions for contempt or motions to show cause are filed.*

Section 1 of this act becomes effective December 1, 2022, and applies to pending motions to renew filed before, on, or after that date. Section 2 of this act becomes effective December 1, 2022, and applies to motions filed on or after that date.

CURRENT LAW AND BILL ANALYSIS:

Section 1

Under current law, if the aggrieved party wishes to renew an existing domestic violence protective order, that party must file a motion to renew the order before the existing order expires. If the court date to consider that motion is not set until after the expiration of the order, the order expires leaving no order for protection in place until the hearing date.

Section 1 of this act allows the court, upon the *ex parte* request of the plaintiff, to temporarily renew the current order by extending the expiration date of the order to the date of the renewal hearing, or 30 days from the date the current order is set to expire, whichever occurs first. The Clerk must notify the sheriff about the temporary renewal. If the defendant is not present, the defendant must be served in the same manner as required for service of the original *ex parte* order.

Section 2

Under current law, G.S. 50-13.1(b) provides that whenever custody and visitation issues arise in motions for contempt or for modifications as well as in other pleadings, the court must set the matter for mediation of those issues unless mediation is waived by the court pursuant to G.S. 50-13.1(c).

G.S. 50-13.1(c) provides that for good cause, on the motion of a party or on the court's own motion, "the court may waive the mandatory setting... of a contested custody or visitation matter for mediation."

Section 2 of this act allows mediation to be optional when custody and visitation issues arise in motions for contempt or motions to show cause.

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Director



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House Bill 615

Page 2

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**Robert Ryan and Bill Patterson substantially contributed to this summary.*