

April 10, 2003

H 1126. COLLABORATIVE LAW PROCEDURES/FAMILY LAW. ESTABLISHING COLLABORATIVE LAW PROCEDURES UNDER CHAPTER 50 OF THE GENERAL STATUTES WHEREBY PARTIES SEEKING A DIVORCE AND THEIR ATTORNEYS MAY SETTLE THEIR DISPUTES BY WRITTEN AGREEMENT WITH LIMITED JUDICIAL INTERVENTION. Adds new Article 4 to GS Ch. 50 dealing with collaborative law proceedings. Defines the proceedings as an alternative to the judicial disposition of issues arising in family law disputes, except for divorces. If parties decide to use the procedure, it must be agreed to in writing by both parties. Procedure requires suspension of court proceedings, limitation of role of lawyers to non-litigation matters, use of jointly-hired experts and other matters on which the parties agree. If parties notify court 30 days before trial that collaborative procedures are in use, court may not set any hearing, discovery deadlines, scheduling orders, and may not dismiss the case. Requires parties to notify court of settlement or provide periodic status reports. If no settlement reached in two years and if court is notified of that fact, court may dismiss the case or set it for trial. Effective Oct. 1, 2003.

Intro. by Hackney.

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| Ref. to Judiciary I | GS 50 |
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April 23, 2003

H 1126. COLLABORATIVE LAW PROCEDURES/FAMILY LAW. Intro. 4/10/03. House committee substitute makes the following changes to 1st edition. Adds new GS 50-65(c) to clarify that art. does not prohibit parties from using other forms of alternative dispute resolution by mutual agreement. Reorganizes GS 50-70 and adds new GS 50-70(a) authorizing either party to file civil action if they fail to reach settlement and new GS 50-70(c) providing that if a civil action is filed or set for trial, attorneys who represented parties in collaborative law proceedings may not represent parties in civil action. Makes technical changes.

August 8, 2003

SL 2003-371 (H 1126). COLLABORATIVE LAW PROCEDURES/FAMILY LAW. AN ACT ESTABLISHING COLLABORATIVE LAW PROCEDURES UNDER CHAPTER 50 OF THE GENERAL STATUTES WHEREBY PARTIES SEEKING A DIVORCE AND THEIR ATTORNEYS MAY SETTLE THEIR DISPUTES BY WRITTEN AGREEMENT WITH LIMITED JUDICIAL INTERVENTION. Summarized in *Daily Bulletin* 4/10/03 and 4/23/03. Enacted August 1, 2003. Effective October 1, 2003.