
By: Delegate Montague

Introduced and read first time: February 23, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Mediation**

3 FOR the purpose of allowing certain persons to voluntarily submit to mediation of certain
4 family disputes before the filing of a certain petition; allowing a certain court, after
5 a petition has been filed, on agreement by certain persons, to include in its order a
6 stipulation that the persons shall submit to mediation for certain future disputes
7 arising after the issuance of the order; allowing the Court of Appeals to adopt rules
8 to implement this Act; defining a certain term; and generally relating to mediation
9 of certain disputes.

10 BY repealing and reenacting, without amendments,
11 Article - Family Law
12 Section 1-201(a)
13 Annotated Code of Maryland
14 (1991 Replacement Volume and 1995 Supplement)

15 BY adding to
16 Article - Family Law
17 Section 1-204
18 Annotated Code of Maryland
19 (1991 Replacement Volume and 1995 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Family Law**

23 1-201.

24 (a) An equity court has jurisdiction over:

25 (1) adoption of a child;

26 (2) alimony;

27 (3) annulment of a marriage;

28 (4) divorce;

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- 1 (5) custody or guardianship of a child;
- 2 (6) visitation of a child;
- 3 (7) legitimation of a child;
- 4 (8) paternity; and
- 5 (9) support of a child.

6 1-204.

7 (A) IN THIS SECTION, "FAMILY DISPUTE" MEANS A DISPUTE AMONG THE
8 PARTIES INVOLVING:

- 9 (1) DIVORCE;
- 10 (2) ALIMONY;
- 11 (3) CUSTODY OR GUARDIANSHIP OF A CHILD;
- 12 (4) VISITATION OF A CHILD; OR
- 13 (5) SUPPORT OF A CHILD.

14 (B) BEFORE A PARTY HAS FILED A PETITION FOR A PROCEEDING OVER
15 WHICH A COURT HAS JURISDICTION IN ACCORDANCE WITH § 1-201(A) OF THIS
16 SUBTITLE, THE PARTIES MAY VOLUNTARILY SUBMIT TO MEDIATION OF THE FAMILY
17 DISPUTE UNDER THIS SECTION.

18 (C) AFTER A PARTY HAS FILED A PETITION FOR A PROCEEDING OVER WHICH
19 A COURT HAS JURISDICTION IN ACCORDANCE WITH § 1-201(A) OF THIS SUBTITLE, ON
20 AGREEMENT BY THE PARTIES, A COURT MAY INCLUDE IN ITS ORDER A
21 STIPULATION THAT THE PARTIES SHALL SUBMIT TO MEDIATION FOR ANY FUTURE
22 FAMILY DISPUTES ARISING AFTER THE ISSUANCE OF THE ORDER.

23 (D) UNLESS INDIGENT, THE PARTIES SHALL PAY A PROPORTIONATE SHARE
24 OF THE COSTS OF MEDIATION AS DETERMINED BY THE COURT.

25 (E) THE COURT OF APPEALS MAY ADOPT RULES TO IMPLEMENT THIS
26 SECTION.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 1996.