

104TH CONGRESS
1ST SESSION

H. R. 1855

To amend title 11, District of Columbia Code, to restrict the authority of the Superior Court of the District of Columbia over certain pending cases involving child custody and visitation rights.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1995

Mr. DAVIS (for himself, Mrs. MORELLA, and Mr. WOLF) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To amend title 11, District of Columbia Code, to restrict the authority of the Superior Court of the District of Columbia over certain pending cases involving child custody and visitation rights.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TREATMENT OF CERTAIN PENDING CHILD CUS-**
4 **TODY CASES IN SUPERIOR COURT OF DIS-**
5 **TRICT OF COLUMBIA.**

6 (a) IN GENERAL.—Subchapter II of chapter 9 of title
7 11, District of Columbia Code, is amended by adding at
8 the end the following new section:

1 **“§ 11–925. Rules regarding certain pending child cus-**
2 **tody cases**

3 “(a) In any pending case involving custody over a
4 minor child or the visitation rights of a parent of a minor
5 child in the Superior Court which is described in sub-
6 section (b)—

7 “(1) at any time after the child attains 13
8 years of age, the party to the case who is described
9 in subsection (b)(1) may not have custody over, or
10 visitation rights with, the child without the child’s
11 consent; and

12 “(2) if any person had actual or legal custody
13 over the child or offered safe refuge to the child
14 while the case (or other actions relating to the case)
15 was pending, the court may not deprive the person
16 of custody or visitation rights over the child or oth-
17 erwise impose sanctions on the person on the
18 grounds that the person had such custody or offered
19 such refuge.

20 “(b) A case described in this subsection is a case in
21 which—

22 “(1) the child asserts that a party to the case
23 has been sexually abusive with the child;

24 “(2) the child has resided outside of the United
25 States for not less than 24 consecutive months;

1 “(3) any of the parties to the case has denied
2 custody or visitation to another party in violation of
3 an order of the court for not less than 24 consecu-
4 tive months; and

5 “(4) any of the parties to the case has lived
6 outside of the District of Columbia during such pe-
7 riod of denial of custody or visitation.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 for subchapter II of chapter 9 of title 11, D.C. Code, is
10 amended by adding at the end the following new item:

“11-925. Rules regarding certain pending child custody cases.”.

11 (c) EFFECTIVE DATE.—

12 (1) IN GENERAL.—The amendments made by
13 this section shall apply to cases brought in the Supe-
14 rior Court of the District of Columbia before, on, or
15 after the date of the enactment of this Act.

16 (2) CONTINUATION OF PROVISIONS UNTIL TER-
17 MINATION.—The provisions of section 11-925, Dis-
18 trict of Columbia Code (as added by subsection (a)),
19 shall apply to any case described in paragraph (1)
20 until the termination of the case.

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