

LAWS OF DELAWARE
VOLUME 83
CHAPTER 474
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 381

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FAMILY LAW COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 20, Title 13 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Chapter 20. Family Law Commission. ~~[Repealed.]~~

Section 2. Amend § 2001, Title 13 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2001. Creation. ~~[Repealed.]~~

~~The General Assembly hereby creates a permanent Family Law Commission.~~

Section 2. Amend § 2002, Title 13 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2002. Composition. ~~[Repealed.]~~

~~The Commission shall consist of 16 citizens of the State and shall have at least 2 members from each county. At least 2 of the members of the Commission shall be attorneys licensed to practice law in Delaware; at least 1 member shall be a judge of the Family Court of the State; 2 members shall be members of the House of Representatives, with 1 from each of the 2 major political parties represented in the House; 2 members shall be members of the Senate, with 1 from each of the 2 major political parties represented in the Senate; at least 2 members shall be practicing or retired licensed health-care professionals with expertise in pediatrics or family medicine; and at least 1 member shall be a practicing mental health professional licensed in this State specializing in the psychology of children when appointed.~~

Section 4. Amend § 2003, Title 13 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2003. Appointment; terms of office. ~~[Repealed.]~~

~~The members of the Commission shall be appointed jointly by the President Pro Tempore of the Senate and the Speaker of the House of Representatives who shall designate 1 member of the Commission to serve as Chairperson during his or her term of office.~~

~~(1) Initial members. Nine members of the Commission shall be appointed to take office on September 1, 1984. Three of them (including the Chairperson) shall be appointed for a term of 3 years; 3 of them for a term of 2 years and 3 of them for a term of 1 year.~~

~~(2) Additional members. Two additional members shall be appointed to take office September 1, 1985, in order to increase the membership of the Commission from the initial 9 members to 11 members. One of the additional members shall be appointed for a term of 2 years and the other shall be appointed for a term of 3 years.~~

~~(3) Subsequent members. After the initial appointment of members and the additional members of the Commission, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall appoint sufficient new members of the Commission each year for a 3-year term so that the membership totals 16 citizens. They shall also jointly appoint members of the Commission to complete the remaining portion of the term of a member who has resigned or has been removed from the Commission.~~

~~(4) Term of office. Initial members of the Commission shall serve for the term of office designated in their appointment. Subsequent members shall serve for a term of 3 years. Members of the Commission may be removed by a majority vote in the House and Senate with or without cause.~~

~~(5) Officers. The Chairperson of the Commission shall appoint a Vice-Chairperson and Secretary of the Commission and such other officers of the Commission as the Chairperson deems necessary or desirable to assist the Commission in performing its duties, all to serve at the pleasure of the Chairperson.~~

~~(6) Compensation. No member shall receive any compensation for his or her service on the Commission, but members may be reimbursed from time to time for their expenses in connection with the Commission's activities.~~

Section 5. Amend § 2004, Title 13 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2004. Purpose; powers; duties. [Repealed.]

~~The Commission shall study and evaluate the domestic relations laws of the State and the rules and procedures of the Family Court, review legislation affecting domestic relations law introduced in the General Assembly and Family Court rules and procedures, disseminate information about family law to the citizens of Delaware and engage in such other activities as it may deem appropriate in connection with the study, analysis, review and dissemination of information concerning family law. In furtherance and not in limitation of the foregoing, the Commission may:~~

- ~~(1) Conduct public hearings;~~
- ~~(2) Invite written comments on family law from members of the public;~~
- ~~(3) Review and comment upon legislation affecting family law introduced in the General Assembly at the request of any member of the General Assembly or on its own initiative; and~~
- ~~(4) Publish and disseminate information concerning family law to the public.~~

~~The Commission shall meet at least 4 times each year and shall report to the General Assembly its activities and recommendations at least once every year on or before March 15. The Commission shall not engage in the practice of law, shall not give legal advice of any kind to individuals about their rights or responsibilities (other than publishing and disseminating comments about existing or proposed legislation or Family Court rules and procedures) and shall not intervene, directly or indirectly, in any case pending in any court.~~

Approved October 14, 2022