



SPONSOR: Rep. Bennett & Sen. Delcollo
Reps. Kowalko, Lynn, Viola, K. Williams

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 153

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SERVICE OF MEDIATION NOTICE.

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

1 Section 1. Amend Subchapter III, Chapter 9, Title 10 of the Delaware Code by making deletions as shown by
2 strike through and insertions as shown by underline as follows:

3 § 1065A. Service of mediation.

4 (a) Notice of the time, place, and purpose of mediation must be served upon each party in a matter at the party's
5 last known address by registered or certified mail, with restricted delivery and return receipt requested, for any of the
6 following matters:

7 (1) Child support, under Chapter 5 or Chapter 22 of Title 13.

8 (2) Custody or visitation of a child, under Chapter 7 of Title 13.

9 (3) Guardianship of a child, under Chapter 23 of Title 13.

10 (4) Third-party visitation of a child, under Chapter 24 of Title 13.

11 (b) It is a party's duty to provide the Court with the party's mailing address for purposes of receiving a notice
12 under this section.

13 (c) Notice by registered or certified mail is not required for a party that has provided a written waiver of the notice
14 under this section.

15 (d) The Court may enter an order excusing in whole or in part the registered or certified mail requirement under
16 this section if the number of parties to be served is voluminous and the address of record for each party being excused from
17 the requirement has been confirmed in writing, either by other service or written notice provided by the party.

18 (e) Notice provided under this section constitutes conclusive evidence of service and mediation may proceed at the
19 time and date set, with or without the appearance of a party notified under this section.

SYNOPSIS

Under this Act, notice for a mediation conference must be made by registered or certified mail, with restricted delivery and return receipt requested, for any of the following Title 13, Family Court matters:

- (1) Child support.
- (2) Custody or visitation.
- (3) Guardianship.

(4) Third-party visitation.

This Act also provides that:

- It is the party's duty to provide the Court with the party's mailing address.
- Notice by registered or certified mail is not required if a party has provided a written waiver.
- The Court may excuse the registered or certified mail requirement in whole or in part if the number of parties in a case is voluminous and the address of record for each party has been confirmed in writing, either by other service or written notice provided by the party.
- Notice provided under this Act constitutes conclusive evidence of service and mediation may proceed with or without the party's appearance.