

HOUSE BILL NO. 839
AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Rules

on _____)

(Patron Prior to Substitute—Delegate McClure)

A BILL to direct the Committee on Self-Represented Litigants and its Subcommittee on Domestic Violence Victims of the Access to Justice Commission to convene a work group to study the implementation of provisions to improve procedures for and responses to victims of family abuse and their children in child custody proceedings; report.

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Committee on Self-Represented Litigants and its Subcommittee on Domestic Violence Victims of the Access to Justice Commission, established by order of the Supreme Court of Virginia, shall convene a work group to study the implementation of provisions to improve procedures for and responses to victims of family abuse and their children in child custody proceedings.*

The work group shall review, analyze, and make recommendations for how the juvenile and domestic relations district courts in the Commonwealth could improve custody proceedings when credible allegations of family abuse are at issue.

The work group shall review and consider certain information, including how (i) power dynamics in child custody matters impact outcomes, including how frequently alleged abusers gain custody of children; (ii) alleged abusers may use court proceedings as instruments of harassment; and (iii) perceptions of survivors of abuse may impact outcomes.

The work group shall review and consider certain actions, including (a) providing resources for affordable legal representation for abuse survivors in custody proceedings; (b) mandating judicial education on trauma, abuse, and power dynamics; (c) improving guardian ad litem trainings relating to power dynamics in family abuse; (d) providing greater oversight and accountability for judges; and (e) considering whether custody cases with credible abuse allegations should result in limited custody to the abuser.

The work group shall include representation from relevant stakeholders, including representatives of the Virginia Sexual and Domestic Violence Action Alliance, the Virginia Family Law Coalition, the Virginia Trial Lawyers Association, and the Virginia Poverty Law Center, staff from the Office of the Executive Secretary of the Supreme Court of Virginia, at least two guardians ad litem, at least two juvenile and domestic relations district court judges, representatives from at least two Court Appointed Special Advocate programs, at least one child protection or child welfare practitioner, at least three survivors of family abuse,

33 *and other relevant stakeholders.*

34 *The work group shall submit a report with its findings and recommendations to the Chairs of the House*

35 *and Senate Committees for Courts of Justice by November 1, 2026.*