



## 2021 South Dakota Legislature

# House Bill 1241

HOUSE EDUCATION ENGROSSED

Introduced by: **Representative** Haugaard

1 **An Act to provide for participation in a parent education program upon filing for**  
2 **divorce.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1.** That a NEW SECTION be added:

5 **25-4A-29. Parent education program--Required attendance--Court rules--**  
6 **Fees.**

7 Beginning January 1, 2022, the court shall require parents of a minor child who  
8 have petitioned for divorce, and parents who have petitioned for child custody or visitation,  
9 to participate in a parent education program, having a duration of at least four hours, for  
10 the purpose of developing the parents' understanding of:

- 11 (1) The impact that divorce, the restructuring of the family, and judicial proceedings  
12 have upon children and the family;  
13 (2) Methods for preventing parenting time conflicts; and  
14 (3) Dispute resolution options.

15 Upon a showing of good cause, the court may excuse a party from attending the  
16 program. If past or present domestic abuse has been alleged, the court may not require  
17 the parties to attend the same parent education program.

18 The court may require that, as part of the parent education program, children  
19 attend a separate program designed to assist them in dealing with the impact of divorce.

20 The South Dakota Supreme Court shall promulgate court rules to establish  
21 standards for the implementation and administration of the program and may establish  
22 fees to defray the costs of the program.

23 **Section 2.** That a NEW SECTION be added:

1           **25-4A-30. Statements inadmissible--Exception--Disclosure prohibited.**

2           Unless all parties who attend the parent education program otherwise agree in  
3 writing, any statements made by a party during participation in a parent education  
4 program are inadmissible as evidence. No record may be made regarding a party's  
5 participation in a parent education program, except a record of attendance at and  
6 completion of the program.

7           Program facilitators may not disclose any information about a person attending a  
8 parent education program.

9           Program facilitators may not be subpoenaed or called as witnesses in a court  
10 proceeding.