

COUNCIL OF THE DISTRICT OF COLUMBIA

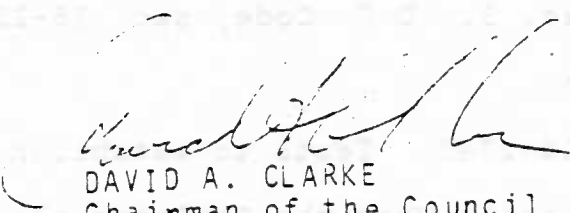
NOTICE

D.C. LAW 5-123

"Parentage and Support Proceedings Reform Act  
of 1984".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-366 on first and second readings, June 12, 1984 and June 26, 1984, respectively. Following the signature of the Mayor on July 13, 1984, this legislation was assigned Act No. 5-175, published in the August 10, 1984 edition of the D.C. Register, (Vol. 31 page 4056) and transmitted to Congress July 19, 1984 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-123, effective September 26, 1984.



DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	23,24,25,26,27,30,31
August	1,2,3,6,7,8,9,10
September	5,6,7,10,11,12,13,14,17,18,19,20,21,24,25

EFFECTIVE DATE SEP 26 1984

D.C. ACT 5 - 1 7 5

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 1 3 1984

To increase the time in which a paternity and support action may be filed and to establish the admissibility of tests as evidence in a paternity and support proceeding.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Parentage and Support Proceedings Reform Act of 1984".

Sec. 2. D.C. Code, sec. 16-2342, is amended to read as follows:

D.C. Code, sec. 16-23 Note, D.C. Code, sec. 11-11 (1985 supp

"Proceedings over which the Division has jurisdiction under D.C. Code, sec. 11-1101 (3) and (11) to establish parentage and provide for the support of a child may be instituted after four months of pregnancy or at anytime until the child's twenty-first birthday."

Sec. 3. D.C. Code, sec. 16-2343, is amended to read as follows:

D.C. Code, sec. 16-23 Note, D.C. Code, sec. 11-11 16-909 & 30-320 (1985 supp

"16-2343. Tests to establish parentage.

"(a)(1) When the Division has jurisdiction of actions or proceedings under section 11-1101, the court, on its own motion or on the motion of a party, may require the child, the mother, an alleged parent, or the other parent to submit to medical, genetic blood or tissue grouping tests.

"(2) The tests may include the human leukocyte ant gen

test.

"(b)(1) Tests shall be performed by persons qualified as examiners of genetic markers present in the human body.

"(2) The examiners may be appointed by the court or chosen by consent of the parties.

"(c)(1) The costs for the tests and expert witness appointed by the court shall be paid by the parties.

"(2) Where the District of Columbia is a party, the court may order that the District of Columbia pay the costs upon a finding that the alleged parent does not have sufficient resources to pay the costs.

"16-2343.1. Admissibility of Tests.

New  
D.C. Code,  
sec. 16-234  
(1985 supp.)

"(a)(1) Tests results or expert reports showing the statistical probability of the alleged parent's paternity may be admissible into evidence.

"(2) Certified documentation of the chain of custody of the test specimens is competent evidence to establish the chain of custody.

"(b)(1) If the test results or the expert's analysis of the test results are disputed, a party must file its specific objections in writing with the court within 45 days of the date the results were mailed by the court to the party.

"(2) The court shall not accept objections made less than 5 days prior to the date of trial.

"(c) Unless a party timely objects pursuant to subsection (b), the following apply:

"(1) The parties waive their objections to the

testing procedures, the admission into evidence of the results of the test and the report on the statistical probability of paternity.

"(2) The verified results of the tests and the report are admissible into evidence at a hearing or other proceeding regardless of the presence or non-presence of parties having notice of the action.

"(3) Whenever the results of the tests and report exclude the alleged parent as the parent of the child, that evidence shall be conclusive evidence of nonpaternity, unless contrary test results are received.

"(d)(1) If the results of the tests and report of the evidence relating to the alleged parent's paternity of the child are disputed, the court, absent an agreement between the parties, shall resolve all disputes.

"(2) The court may order that additional tests be made at the expense of the objecting party.

"16-2343.2. Sanctions.

"If any party refuses to submit to a test the party may be punished by contempt or by other sanctions that the court considers appropriate."

Sec. 4.(a) This act shall apply to all actions filed after the effective date of this act.

(b) Section 3 of this act shall apply to all pending cases, provided the parties have been notified of their rights under this section.

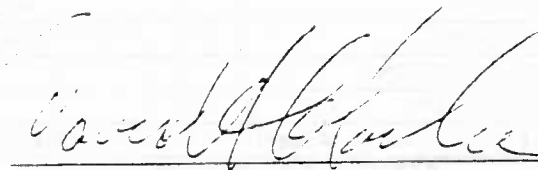
Sec. 5. This act shall take effect after a 30-day period of Congressional review following approval by the

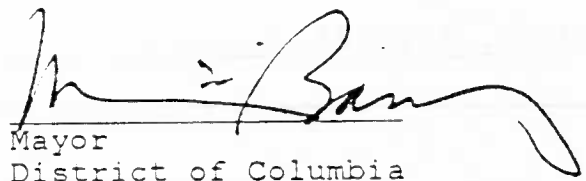
New  
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Note, D.C.  
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-2343.1,  
-2343.2  
(1985 supp.

Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat.813; D.C. Code, sec. 1-233(c)(1)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED: July 13, 1984



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Five — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 5-366

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-12-84

VOICE VOTE: Unanimous

Recorded vote on request:

Absent: Crawford

ROLL CALL VOTE — RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*July 3, 1984*  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-26-84

VOICE VOTE: Unanimous

Recorded vote on request:

Absent: all present

ROLL CALL VOTE — RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*July 3, 1984*  
Date

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request:

Absent:

ROLL CALL VOTE — RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD