

AB 612 Beall. Custody and visitation: nonscientific theories.  
Amended 4/28/09 in committee based on committee analysis.

Add Legislative Intent Language as follows:

"It is the intent of the Legislature that courts strive to protect the safety and best interests of children in custody matters by ensuring that allegations of physical and sexual abuse are investigated appropriately and/or referrals are made to the child welfare services agency."

~~"The Legislature finds and declares that Parental Alienation Syndrome and other theories that suggest that abuse allegations of children who express significant hostility to the allegedly abusive parent are false and are the result of a campaign of denigration by the other parent are not credible, and their use in child custody evaluations has been harmful to children."~~

Section 3027.3 1 (a) ~~A child's expression of significant hostility toward a parent cannot be used as evidence that an accusation of child abuse or neglect against that parent is false.~~ "It is the intent of the Legislature that courts strive to protect the safety and best interests of children in custody matters by ensuring that allegations of physical and sexual abuse are investigated appropriately and/or referrals are made to the child welfare services agency."

~~(b) On or after January 1, 2010, Any child custody evaluation report filed in a child custody proceeding that includes "Parent Alienation Syndrome or Parent Alienation" will be deemed inadmissible.~~ A child's expression of significant hostility toward a parent can, in the discretion of the court, be admitted as possible corroborating evidence that the parent has abused the child. The court cannot decide that an accusation of child physical or sexual abuse against a parent is false based solely on the child's expression of significant hostility toward that parent.

(c) ~~This~~ On or after January 1, 2010, the provisions of this section shall be included in all trainings required pursuant to Section 3110.5.