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Indicates New Matter

COMMITTEE REPORT

April 22, 2010

**S. 1379**

Introduced by Senators Peeler, Campbell and O’Dell

S. Printed 4/22/10--S.

Read the first time April 21, 2010.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Bill (S. 1379) to amend Section 63‑11‑500 of the 1976 Code, relating to children’s services agencies, to honor the memory of Cass Elias McCarter by naming the South Carolina Guardian, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

HARVEY S. PEELER, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 63‑11‑500 OF THE 1976 CODE, RELATING TO CHILDREN’S SERVICES AGENCIES, TO HONOR THE MEMORY OF CASS ELIAS MCCARTER BY NAMING THE SOUTH CAROLINA GUARDIAN AD LITEM PROGRAM AS THE CASS ELIAS MCCARTER GUARDIAN AD LITEM PROGRAM.

Whereas, the South Carolina General Assembly finds that:

(1) in 1984, a young woman from Columbia, South Carolina, Cass Elias McCarter, worked tirelessly in establishing the first state‑funded program;

(2) the South Carolina Guardian ad Litem program was established in 1984 as one of the first state‑funded programs in the nation. The program initially began in four judicial circuits in the State and has now expanded into a statewide program;

(3) the statewide program utilizes volunteers as Guardians ad Litem in abuse and neglect proceedings. In 1988, the South Carolina General Assembly enacted legislation which governs the operation of the Guardian ad Litem program and establishes guidelines for the appointment and service of volunteers;

(4) Cass Elias McCarter served on the South Carolina Children’s Committee and assisted the Joint Legislative Committee on Children with developing the training program for the Guardian ad Litem volunteers;

(5) for sixteen years, Cass Elias McCarter devoted her life and energy to protecting South Carolina’s children, not only from abuse and neglect, but children also benefitted from her work and support on behalf of the Children’s Hospital and the Ronald McDonald House; and

(6) on March 23, 2004, at the age of fifty, Cass Elias McCarter lost her life to a brain aneurism, leaving her husband, Nicky, and their two beautiful children, Lauren and Cole, to continue Cass’ work in protecting children from abuse and neglect. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 63‑11‑500 of the 1976 Code is amended to read:

“Section 63‑11‑500. (A) There is created the ~~South Carolina~~ Cass Elias McCarter Guardian ad Litem Program ~~to~~ in South Carolina. The program shall serve as a statewide system to provide training and supervision to volunteers who serve as court‑appointed special advocates for children in abuse and neglect proceedings within the family court, pursuant to Section 63‑7‑1620. This program must be administered by the Office of the Governor.

(B) Notwithstanding the provisions of subsection (A), a county providing the guardian ad litem services set forth in subsection (A) prior to the effective date of this act may continue to provide such services, provided the county guardian ad litem program is a member of the National Court Appointed Special Advocate Association. However, a county guardian ad litem program operating pursuant to this subsection must comply with all state and federal laws, even if compliance with state or federal laws would result in the violation of a requirement for membership in the National Court Appointed Special Advocate Association.”

SECTION 2. This act takes effect upon approval by the Governor.

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